



# राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 29]

शिमला, शनिवार, 17 जनवरी, 1981/27 पौष, 1902

[संख्या 3

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17 जनवरी, 1981/27 पौष, 1902 को समाप्त होने वाले सप्ताह में निम्नलिखित विशिष्ट असाधारण राजपत्र, हिमाचल प्रदेश में प्रकाशित हुई:-

व्यक्ति की संख्या	विभाग का नाम	विषय
संख्या 3-39/79-इलेक, दिनांक 8 दिसम्बर, 1980.	निर्वाचन विभाग	भारत निर्वाचन आयोग की अधिसूचना सं० 56/79-18, दिनांक 9 अक्टूबर, 1980 का शुद्धि-पत्र संख्या 56/79-18, दिनांक 25 अक्टूबर, 1980, अंग्रेजी रूपान्तर सहित, का पुनः प्रकाशन।

**भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि**

**हिमाचल प्रदेश सरकार**

कामिक विभाग

सचिवालय प्रशासन सेवाएँ-II

अधिसूचना

शिमला-171002, 22 दिसम्बर, 1980

नं० पर०एस०प्र०-II-वी०(10)-23/78.—श्री शिव देव सिंह, अनुभाग अधिकारी, हिमाचल प्रदेश सचिवालय वित्त विभाग के कार्यालय ज्ञापन सं० 2-3-71/फिन (रेग-III) दिनांक 12-8-1974 के अनुसरण में 31-12-1980 (अपराह्न) को अधिकर्षता पर सेवा निवृत्त होंगे।

हस्ताक्षरित/-  
अवर सचिव।

सहकारिता विभाग

अधिसूचना

शिमला-171002, 29 नवम्बर, 1980

संख्या को००ई(4)-1/79 (एस).—हिमाचल प्रदेश सहकारी भूमि विकास बैंक नियम, 1980 के नियम 2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश अधिसूचना के जारी की तिथि को उस दिनांक के रूप में नियत करते हैं जिस से उक्त नियम प्रवृत्त होंगे।

वी० सी० नेगी,  
सचिव।

शिक्षा विभाग

अधिसूचना

शिमला-171002, 6 नवम्बर, 1980

क्रमांक एजू-I(वी) (2)-1/78-I.—राज्यपाल, हिमाचल प्रदेश, हिमाचल लोक सेवा आयोग के परामर्श पर डा० बाल कृष्ण, प्राध्यापक, रामायन शास्त्र को रुपये 1200-50-1300-60-1540-ई० वी०/60-1900 के वेतनमान पर, हिमाचल प्रदेश सरकार के शिक्षा विभाग में निम्नलिखित शर्तों पर प्राचार्य, प्रथम श्रेणी (कालेज केडर) के पद पर नियुक्त करने के आदेश देते हैं:—

(क) कार्य भार सम्भालने से लेकर दो साल की अवधि तक वह परिवीक्षाधीन रहेंगे। यह अवधि खास परिस्थितियों में जिसे लिखित रूप में बताया होगा, अधिक से अधिक एक साल तक समर्थ अधिकारी द्वारा बढ़ाई जा सकती है।

(ख) पद का वेतनमान 1200-50-1300-60-1540-ई० वी०/60-1900 है जो वेतन नियमानुसार निर्धारित होगा।

(ग) इस नियुक्ति को दोनों में से किसी भी पक्ष अर्थात् नियुक्तिकर्ता या नियुक्त द्वारा एक महीने की पूर्व सूचना देकर, बिना कारण बताए समाप्त किया जा सकता है।

(घ) सेवा की अन्य शर्तें समय-समय पर लागू नियमों और आदेशों के अनुसार होंगी।

(ङ) नियुक्ति यथा विधि बनाए गए चिकित्सा बोर्ड द्वारा उस के आरोग्य प्रमाणित किये जाने की शर्त पर होगी।

(च) उन्हें यह घोषणा पत्र देना होगा किसी भी समय अगर उनकी एक से अधिक जीवित पत्नियां होंगी तो उनकी नियुक्ति इस सम्बन्ध में आवश्यक शर्तों को हटाए जाने की सूरत में ही रह सकेगी।

(छ) उन्हें नियुक्ति की तिथि से एक साल की लगातार सेवा के बाद आवश्यक रूप से सामान्य भविष्य निधि (जनरल प्रोविडेंट फण्ड) में कम से कम ऐसी दर से पैसा जमा करना होगा जैसा सरकार नियत करे।

2. यदि यह नियुक्ति प्रस्ताव डा० बाल कृष्ण को मान्य हो तो उन्हें इस अधिसूचना के जारी होने से 15 दिन के भीतर राज्य शिक्षा महाविद्यालय, धर्मशाला में बतौर प्राचार्य प्रथम श्रेणी (कालेज केडर) रिपोर्ट करनी होगी, अन्यथा यह समझा जाएगा कि उन्हें इस पद से रुचि नहीं, और नियुक्ति प्रस्ताव रद्द समझा जाएगा।

अनंग पांडे,  
आयुक्त एवं सचिव।

शुद्ध पत्र

शिमला-171002, 13 नवम्बर, 1980

सं० ख (3)-39/80-शिक्षा/क.—इस कार्यालय की अधिसूचना सम संख्यक दिनांक 21-10-1980 में श्री अविनाश कुमार शर्मा के बजाये "श्री आदर्श कुमार शर्मा" पढ़ा जाए।

हस्ताक्षरित/-  
सचिव।

**GENERAL ADMINISTRATION DEPARTMENT  
(C—SECTION)**

**NOTIFICATION**

Simla-171002, the 19th September, 1980

No. GAD (GI)-6(F)-6/80.—The Governor, Himachal Pradesh, is pleased to constitute a High Powered Committee to review and suggest measures for the effective implementation of 20-Point Programme with immediate effect. The Committee would have the following members:

- |   |    |                   |
|---|----|-------------------|
| 1. Chief Secretary                            | .. | Chairman          |
| 2. Financial Commissioner (Revenue)           | .. | Member            |
| 3. Principal Secretary to the Chief Minister  | .. | Member            |
| 4. Agriculture Production Commissioner        | .. | Member            |
| 5. Secretary (Industries and Education)       | .. | Member            |
| 6. Secretary (Health and Forest)              | .. | Member            |
| 7. Secretary (Food and Supplies)              | .. | Member            |
| 8. Secretary (Finance)                        | .. | Member            |
| 9. Secretary (P.W.D. and Housing)             | .. | Member            |
| 10. Secretary (L.S.G., Labour and Employment) | .. | Member            |
| 11. Secretary (C.S.B.)                        | .. | Member-Secretary. |

Sd/-  
Secretary (C.S.B.).

गृह विभाग  
अधिसूचना

शिमला-171002, 6 सितम्बर, 1980

संख्या गृह-II(ई) 5-10/80.—दण्ड विधि संशोधन अधिनियम, 1932 (1932 का 23वां अधिनियम) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों तथा अन्य सभी शक्तियों जो उन्हें

इस बारे में संशुद्ध करती हैं को प्रयोग में लाते हुए, हिमाचल प्रदेश के राज्यपाल सहर्ष घोषित करते हैं कि यदि कोई अपराध, जो भारतीय दण्ड संहिता, 1860 (1860 का 45) की धारा 506 के अन्तर्गत दण्डनीय है, हिमाचल प्रदेश के राज्य के क्षेत्र में किया जाता है, अजमानतीय होगा।

आदेशानुसार,  
के 0 सी 0 पाण्डेय,  
मुख्य सचिव।

Authoritative text of the English version of the Government notification No. Home-ii (E) 5-10/80, dated : Simla-2.

### HOME DEPARTMENT NOTIFICATION

Simla-171002, the 6th September, 1980

No. Home-ii (E) 5-10/80.—In exercise of the powers vested in him, under sub-section (2) of section 10 of the Criminal Law Amendment Act, 1932 (Act No. 23 of 1932) and all other powers enabling him in this behalf, the Governor of Himachal Pradesh, is pleased to declare that when any offence which is punishable under section 506 of the Indian Penal Code (45 of 1860), is committed within the territorial limits of the State of Himachal Pradesh it shall be non-bailable.

By order,  
K. C. PANDEYA,  
Chief Secretary.

आवास विभाग

अधिसूचना

शिमला-2, 14 नवम्बर, 1980

संख्या एच 0 एस 0 जी 0-6-एफ (7)-3/79.—राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि आवास बोर्ड हिमाचल प्रदेश को इस बोर्ड के अपने व्यय पर सार्वजनिक प्रयोजन नामतः नाल्ज बुड इस्टेट, शिमला-2 में वस्ती निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव, एतद्वारा अधिसूचित किया जाता है कि उक्त परिसर में जैसा कि निम्न विवरणी में निर्दिष्ट किया है उपरोक्त परियोजना के लिए भूमि का अर्जन अपेक्षित है।

यह अधिसूचना ऐसे सभी व्यक्तियों, जो इससे सम्बन्धित हो सकते हैं, की जानकारी के लिए भू-अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

उपरोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश उन सभी अधिकारियों, उनके नीचे काम करने वाले सरकारी कर्मचारियों तथा श्रमिकों को, जो कि इस कार्य से सम्बद्ध हैं, इस क्षेत्र में जाने, सर्वेक्षण करने तथा उक्त धारा द्वारा अपेक्षित दूसरे सभी कार्य करने के लिये सहर्ष प्राधिकार देते हैं।

कोई भी ऐसा हितबद्ध व्यक्ति जिसे उक्त क्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो, वह इस अधिसूचना के राजपत्र, हिमाचल प्रदेश में प्रकाशित होने से 30 दिन की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, शिमला के समक्ष आपत्ति दायर कर सकत हैं।

विवरणी

जिला: शिमला

तहसील: शिमला

इलाका	खसरा न०	रकबा वर्ग गज में
1	2	3
नाल्जबुड इस्टेट	195/1	614-0
शिमला-2	195/2	39-1
	195/7	13-3
	195 मिन	25919-6
	जोड़	26586-1
		हस्ताक्षरित/- उप-मुख्य।

उद्यान विभाग

अधिसूचना

शिमला-2, 24 नवम्बर, 1980

संख्या उद्यान-च (10) 1/79.—राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि सरकारी खर्च पर सार्वजनिक प्रयोजन नामतः चम्बाघाट में उद्यान विभाग द्वारा बल्क पाशचराईजन चम्बर के निर्माण हेतु गांव सलोण्डा सोलन चम्बाघाट में भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि निम्नलिखित विनिर्देश में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

2. भू-अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों के लिए यह घोषणा की जाती है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन कुल्लेक्टर भू-अर्जन (एस 0 डी 0 एस 0), सोलन, जिला सोलन, हिमाचल प्रदेश को उक्त भूमि के अर्जन के लिए आदेश देने का निर्देश दिया जाता है।

3. भूमि का रेखांक पत्र भू-अर्जन कुल्लेक्टर (एस 0 डी 0 एस 0) सोलन जिला, सोलन, हिमाचल प्रदेश के कार्यालय में देखा जा सकता है।

विवरण

जिला: सोलन

तहसील: सोलन

ग्राम	खसरा न०	क्षेत्र सक्चर मीटर में
1	2	3
चम्बाघाट	274	462
	275	220
	276	248
	278	471
		कुल योग.. 1401

शिमला-2, 25 नवम्बर, 1980

संख्या 38-49/74 होट्टे 0 (संकेत).—इस विभाग की समसंख्यक अधिसूचना दिनांक 30-10-80 के क्रम में श्रीर हिमाचल प्रदेश उद्यान उपज विपणन एवम् विधायन निगम सीमित (एच 0 पी 0 एम 0 सी 0) के मैमोरेण्डम आफ आर्टिकल आफ एसोसिएशन के आर्टिकल की धारा 128 (ए) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुये राज्यपाल, हिमाचल प्रदेश, श्री ए 0 के 0 गोस्वामी, सचिव (ए 0 पी 0 सी 0 बी 0) हिमाचल प्रदेश सरकार को हिमाचल प्रदेश उद्यान उपज विपणन एवम् विधायन निगम सीमित (एच 0 पी 0 एम 0 सी 0) के निदेशक मण्डल का निदेशक सहर्ष नामजद करते हैं।

शिमला-2, 25 नवम्बर, 1980

संख्या 38-49/74 होट्टे 0 (संकेत).—इस विभाग की समसंख्यक अधिसूचना दिनांक 30-10-80 के क्रम में राज्यपाल, हिमाचल प्रदेश श्री के 0 सी 0 पाण्डेय, मुख्य सचिव, हिमाचल प्रदेश सरकार की सरकार के अन्य आवश्यक कार्यों में व्यस्तता के कारण हिमाचल प्रदेश उद्यान उपज विपणन एवं विधायन निगम सीमित (एच 0 पी 0 एम 0 सी 0) के निदेशक मण्डल के निदेशक पद से हटने की प्रार्थना को सहर्ष स्वीकार करते हैं।

एम 0 के 0 देवे,  
अवर सचिव।

उद्योग विभाग

अधिसूचना

शिमला-2, 24 नवम्बर, 1980

संख्या इण्ड-1-(ए)-4-12/78-III.—राज्यपाल, हिमाचल प्रदेश, श्री पी 0 आई 0 सुब्रतन भूतपूर्व प्रबन्ध निदेशक, हिमाचल प्रदेश वित्तीय निगम के हिस्सों को जो उनके नाम सरकारी तौर पर हिमाचल प्रदेश खनिज एवं औद्योगिक विकास निगम में हैं, अब उनके उत्तराधिकारी श्रीमती सी 0 पी 0 सुजाया के नाम 30-5-80 से हस्तान्तरित करने के सहर्ष आदेश देते हैं।

2. यह अधिसूचना हिमाचल प्रदेश वित्त विभाग की पूर्व सहमति से जा कि उनकी अनौपचारिक टिप्पणी संख्या 9720/80 (वित्त-ख), दिनांक 27-10-1980 द्वारा प्राप्त की गई, जारी की जाती है।

आदेशानुसार,  
हस्ताक्षरित/-  
सचिव।

वित्त विभाग

अधिसूचना

शिमला-171002, 28 नवम्बर, 1980

संख्या एल 0 एल 0 आर 0 बी 0 (4) 3/79.—राज्यपाल, हिमाचल प्रदेश श्री चन्द्र शेखर, जिला अटार्नी, हमीरपुर को 11 दिनों का अर्जित अवकाश दिनांक 2-12-80 से 12-12-80 और राजपत्रित अवकाश दिनांक 13-12-80 तथा 14-12-80 को साथ मिलाने की स्वीकृति प्रदान करते हैं वगैरें कि उनके खाने से यह अवकाश देय है।

प्रमाणित किया जाता है कि श्री चन्द्रशेखर उपरोक्त अवकाश की समाप्ति पर उसी पद पर कार्यभार सम्भालेंगे।

प्रमाणित किया जाता है कि श्री चन्द्र शेखर यदि उपरोक्त अवकाश पर न जाएं तो वह अपने वर्तमान पद पर कार्य करते रहेंगे।

उपरोक्त अवकाश के दौरान उनका कार्य श्री निरंजन सिंह, सहायक, जिला अटार्नी एवं लोकअभियोजक, हमीरपुर अपने कार्य के प्रतिरिक्त देखेंगे।

जय चन्द मल्होत्रा,  
सचिव।

श्रम विभाग

अधिसूचनायें

शिमला-171002, 9 मई, 1980

संख्या 8-28/79-श्रम.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में राज्यपाल, हिमाचल प्रदेश श्री राधाकृष्ण टोकन नं 0 238 एच तथा सुपरिन्टेंडेंट इंजीनियर, परसोनल सर्विस, बी 0 एस 0 एल 0 प्रोजेक्ट, सुन्दरनगर के मध्य चल रहे विवाद पर प्रोजेक्टिंग ऑफिसर श्रम न्यायालय, हिमाचल प्रदेश द्वारा दिये गये निम्नांकित निर्णय जो सरकार को दिनांक 10-3-80 को प्राप्त हुआ है प्रकाशित करने के सहर्ष आदेश देते हैं :—

ORDER

The applicant, Shri Radha Krishan, joined B.S.L. Project as Belder in 1964 and got promoted Junior Welder in 1967, fullfledged Welder from 1-6-1970. From 1-4-1973, he was promoted from Welder to Chargeman Miscellaneous).

(2) The scales of the two posts of the Welder and the Chargeman (Misc.) happen to be equal, that is, Rs. 120-250. The applicant on this promotion did not get any benefit by his salary raise. He contends that the post of Chargeman (Misc.) is of a supervisory category and superior to that of the Welder, carrying higher responsibilities. That according to the rules applicable to B.S.L. Project under Fundamental Rule 22-C, his pay ought to have been fixed by giving him the benefit of two increments, that is, one increment in the Welder's scale and the other in the Chargeman (Misc.), raising his pay from Rs. 140 per month to Rs. 150 per month from April, 1973.

(3) The applicant has worked the monetary benefit that has been denied to him in his pay fixation, per Annexure (A) to the application for the year 1973 to 1976, totalling Rs. 1,243.40 P. vide Annexure 'B' of his application.

(4) The respondents have opposed this claim of the applicant, firstly on the legal ground that the application is not maintainable under section 33-C (2) of the Industrial Disputes Act, 1947 (I.D. Act) because the applicant is asking for determining his service status and category. That, therefore, reference under Section 10 of the I.D. Act is the remedy available to him.

(5) On merits, it is stated that the post of Chargeman (Misc.) is not higher than that of the Welder, nor it carries higher responsibilities. That in such a case, the pay of the employee is fixed at the same stage on such promotion even.

(6) My learned predecessor framed the following issues:—

(1) Whether this petition is maintainable i OPP.

(2) To what amount, if any, the petitioner is entitled to recover? OPP.

(3) Relief.

## FINDINGS ON THE ISSUES:

### Issue No. 1.

(7) The respondents' objection is not sound that the applicant is claiming determination of his service status and category. The claim of the applicant is apparently very simple. He simply asks for the calculation of the benefit of two increments which he claims on the basis of existing rules applicable to the Project employees. So, he is asking for computation of monetary benefit based on existing right. He is nowhere claiming any special status or category of service which the respondents may dispute. The claim laid by the applicant is entertainable under section 33-C (2) of the I.D. Act. The issue goes against the respondents.

### Issue No. 2.

(8) Admittedly, the applicant was Welder up to 31-3-1973 and was promoted as Chageman (Misc.) from 1-4-1973. The designation of the post coupled with the statement of the applicant makes it clear that Chageman (Misc.) is a higher and superior post than the Welder's post. The applicant has stated that he was doing Welder's job himself as manual worker and after promotion as Chageman (Misc.), he worked with his own hands rarely but guided other workers of his gang. He had to mark the workers presence as Chageman (Misc.).

(9) On the respondents' side, Shri Dalip Singh (R.W. I) S.D.O. Personnel Division, B.S.L. Project has appeared in evidence and stated that the posts of Welder as well as Chageman (Misc.) are identical. According to him, there is no difference of the duties of the Welder and Chageman (Misc.) in this case. But he has simply made this bald assertion without explaining the duties and the nature of work involved in the two posts of the Welder and the Chageman (Misc.). Therefore, his statement is no evidence in the eye of law.

(10) In cross-examination, Shri Dalip Singh admitted that for purposes of seniority, Chageman (Misc.) are shown in a separate list and that the post of Chageman (Misc.) is considered senior. He also admitted that the incumbents of the two posts are not inter-changeable because Chageman (Misc.) cannot be put as a Welder. This implies that Chageman (Misc.) is a higher post than the Welder.

(11) The respondents put in the amended F.R. 22-C, wherein the last proviso has been added in 1967 by the Central Government. But on applicant's side, it is contended that this amended F.R. 22-C has not been made applicable to B.S.L. Project, though the Fundamental Rules 22-C as such were made applicable vide Punjab Government's letter No. 413-14/BPA/18/61, dated 6-1-1966, Ex. P. I. Shri Dalip Singh (R.W. I) has also admitted that letter Ex. P.I. has not been amended later by B.S.L. Project Organisation Administration. Therefore, I find that F.R. 22-C, per Ex. P.I., is applicable to the employees of B.S.L. Project without the later amendment vide extract marked 'X'.

(12) In view of the above factual position and the applicability of the rules, F.R. 22-C, per Ex. P.I., the applicant is entitled to get salary at the rate of Rs. 150/- instead of Rs. 140/- from 1-4-1973. Accordingly, his claim per Annexures 'A' and 'B' of his application is correct. He is entitled to the salary arrears accordingly of Rs. 1,243.40 P. up to December, 1976 and thereafter also.

### Relief:

(13) The applicant gets the relief asked for. But the case involved question of application of the rules amended

form or without amendment. So I leave the parties to their own costs.  
Announced.

H. D. KAINTHLA,  
December 3, 1979. Presiding Officer, Labour Court,  
for the State of H.P., Camp at  
Sundernagar.

शिमला-2, 9 मई, 1980

संख्या. 8-28/79-अम.—श्रीवांगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में राज्यपाल, हिमाचल प्रदेश श्री रणजीत सिंह तथा म्युनिसिपल कमिटी सोलन के मध्य चल रहे विवाद पर प्रीजाईडिंग आफिसर, अम न्यायालय, हिमाचल प्रदेश द्वारा दिये गये निम्नांकित निर्णय जो सरकार को दिनांक 10-3-1980 को प्राप्त हुआ है प्रकाशित करने के सह्य आदेश देते हैं:—

### ANNEXURE

IN THE COURT OF SHRI H. D. KAINTHLA,  
PRESIDING OFFICER LABOUR COURT,  
HIMACHAL PRADESH, CAMP AT SOLAN

Case No. 43 of 1978 (and cases No. 44 to 52 of 1978)

Shri Ranjit Singh, Fire Brigade Department, Municipal Committee, Solan .. Applicant.

Versus

The Municipal Committee, Solan (Himachal Pradesh) through its Secretary .. Respondents.  
Application under section 33 (C) (2) of the I.D. Act, 1947 -

### Judgement Order:

Shri Ranjit Singh applicant is a Fireman in the Fire Brigade, Municipal Committee Solan. He has claimed that he has been required to attend duty 12 hours daily when under Law of Minimum Wages Act. was to perform duties only for 8 hours a day. So double wages for 4 hours for extra daily duty w.e.f. 15-1-1974 to 1-3-1978 he claims Rs. 10,670.40 paise.

Similar claims with little variation are laid by other 9 Fire Brigade employees of Solan Municipal Committee in their similar applications, cases No. 44 to 52 of 1978. The table of their amounts of claim is given as under:—

	Rs.
Devi Dayal 44 of 1978 1-1-1965 to 1-3-78	37,009.69
Shiv Ram 45 of 1978 1-1-65 to 1-3-78	32,479.56
Darshan Singh 46 of 1978 1-1-65 to 1-3-78	32,168.44
Roop Ram 47 of 1978 1-1-65 to 1-3-78	32,168.44
Krishana Nand 48 of 1978 1-1-65 to 1-3-78	32,168.44
Jagat Singh 49 of 1978 1-1-65 to 1-3-78	32,168.44
Dhiraj Singh 50 of 1978 1-1-65 to 1-3-78	32,168.44
Sangat Ram 51 of 1978 1-1-65 to 1-3-78	32,168.44
Beant Singh Bedi 52 of 78 1-1-65 to 1-3-78	42,953.52

On the agreement of the parties all these ten cases No. 43 of 78 to 52 of 1978 have been consolidated for purpose of trial as common facts and law points are involved. vide order, dated 12-10-1978 passed by my learned predecessor. So this judgment order will cover all these ten cases.

The applicants have simply stated in their applications that they are entitled to double wages for 4 hours for extra duty daily under the Minimum Wages Act.

The respondent, Municipal Committee denied the money claim made by the applicants on account of extra duty as double wages. It was explained that there was no application of Minimum Wages Act to Municipal employees and that there was no condition of employment under which the applicants could not be detained for more than 8 hours on duty post. That the claim does not fall under section 33-C (2) of the Industrial Dispute Act.

In the rejoinder, the applicants further amplified their claim saying that the claim of the applicants was covered under Minimum Wages Act and Rules of the Central and State Governments and also under Himachal Pradesh Shops and Commercial Establishment Act and Rules, Factories Act and Rules and Bye-Laws of Solan Municipal Committee. Additionally it was asserted that the applicants were entitled to the same pattern of service conditions as applicable to Simla Fire Brigade employees (Government undertaking).

By way of preliminary objection, it was contended that the written statement filed on behalf of the respondent is not by a competent person under the Law being Senior Vice-President and therefore, not tenable.

On the pleadings of the parties the learned predecessor Court has framed the following issues:—

1. Whether the applicant is required to work more than 8 hours and he had been on duty for 12 hours. If so its effect? OPD.
2. To what amount, if any, the applicant is entitled to recover from the respondent management? OPP.
3. Whether the written statement has been filed and signed by the authorised person, if not, is what effect? OPD.

One more issue as under was added by me on 30-6-1979:

4. (1) Whether in the context of the pleadings of the parties, the matter involved in the petition is covered under section 33-C (2) of the Industrial Dispute Act or not? OPP.

#### Findings on issues:

*Issue No. 1.* The applicants as noticed above, in their claim petition and replication, rested their claim on Minimum Wages Act and Rules and also various other Acts and Rules for double wages of extra work beyond eight hours daily.

Another basis for claiming double wages given in the replication is on the pattern of Fire Brigade employees Simla (Government undertaking). The only evidence that has been led by the appellants is the statement of Shri Beant Singh who is an applicant. He makes out a contradictory stand that at the time of his employment it was given out that Government service Rules regarding the duty performance shall apply to them, and at the same breath he says that they represented many a time to the Municipal Committee that their duty hours be reduced from 12 to 8 hours a day. Such representations are Ex. P. 1 to Ex. P. 4. So it means there is no legal basis for this claim with the applicants.

He makes reference to many irrelevant matters and goes on to say that at Simla, Fire Brigade work is done on three shifts a day basis.

On the part of the respondent Committee it is not disputed that the applicants are required to attend duty for 12 hours a day but the liability to pay any extra wages for 4 hours daily work is disputed and denied.

Under section 13 of the Minimum Wages Act fixing of hours for a normal working day has to be done by the State Government in respect of the scheduled employments for which minimum rates of wages have been fixed under section 3 of the said Act. For Municipal Committee, Solan employees including the applicants connected with Fire Brigade section no such minimum wages have been fixed, nor daily working hours restricted to 8 hours. So section 14 of the Minimum Wages Act providing for overtime payment is not available to the applicants. However, the Municipal Committee, Solan should in all fairness adopt three shift system of working with 8 hours daily duty for applicants instead of 12 hours presently prevailing. No other Act or Rules help the applicants.

Hence this issue goes against the applicants.

*Issue No. 2.*—The applicants are not entitled to any amount as over-time allowance, in view of issue No. 1 going against them.

*Issue No. 3.*—The written statements to the claim applications have been signed by the Senior Vice-President Municipal Committee which was later on ratified by the

Resolution of the Municipal Committee, dated 8-9-1978. Senior Vice-President of the Committee acts for the President under section 27 of the Himachal Pradesh Municipal Act, 1968 by presiding over the Committee meeting. He is the elected executive functionary. He can act for the Municipal Committee for signing the written statement which was also proved by the Committee afterwards. There is no prohibition against his doing so. The reliance on the bye-laws 22(1) and (2) 1953 is mis-placed which is as under:—

- (1) the secretary shall be responsible for the remaining business of the Committee subject to the orders of the President and the Committee and shall so far as may conveniently be possible conduct the correspondence of the Committee.
- (2) the secretary is authorised to conduct all suits, appeals and proceedings instituted by or against the Committee.

The above power to the Secretary under the bye-laws is an enabling power and it will in no way detract from the position and power of the President and Vice-President. In fact the Secretary has to function subject to the orders of the President that is, Vice-President in the absence of the President.

In any case the written statements is merely a denial of the claim of the applicants which the latter have to prove themselves. They cannot succeed on the default of the respondents. This technical objection has little relevance on merit. It was for the respondent Committee to disown the written statement which has been ratified by them. Therefore, this technical objection is of no avail to the plaintiff.

*Issue No. 4.*—Section 33-C(2) of the Industrial Dispute Act covers cases of recovery and calculation of monetary benefits based on existing established rights. The dispute in the present case is not based on any existing rights admitted on the part of or established against the respondents. Otherwise it can be properly the subject matter of the Industrial Dispute, only in a reference under section 10 of the Industrial Dispute Act. Reference in this behalf may be usefully made to the Full Court judgment of the Gujarat High Court *Nizamuddin Suleman vs. New Shorrock Eng. and Wng. Co., Ltd., and others* 1975 L.L.J. (II), 36.

Before concluding this case, I may consider application dated 15-9-1979 filed by the applicants for contempt of Court. It is a very vague application that the Committee had decided to have three shifts working system for the Fire Brigade employees and that at the same time the applicants were being pressurised to withdraw their claim petitions for over-time allowance. Neither proper particulars of the allegation made in the application are given nor it is necessary now to go into this aspect at the far end of the case which goes against the applicants.

In view of the nature of the claim and its legal implication, I leave the parties to their respective costs.

Copy of this order be given to the parties.

The record of the case is forwarded to the Secretary (Labour) to the Government of Himachal Pradesh under section 33-C(4), of the I.D. Act, 1947.

Announced to-day the 23rd September, 1979 in the presence of the parties.

H. D. KAINTHLA,  
Presiding Officer, Labour Court,  
Himachal Pradesh, Camp at Solan.

आदेश द्वारा,  
हस्ताक्षरित/-  
सचिव।

वृहद्देशीय परियोजना एवं शक्ति विभाग

अधिसूचनायें

शिमला-171002, 20 नवम्बर, 1980

सं 0 विद्युत (छ) (10)-29/77-यतः हिमाचल प्रदेश के राज्य-पाल को यह प्रतीत होता है कि पंजाब सरकार अपने व्यय पर सार्वजनिक प्रयोजन के लिये आनन्दपुर साहिब जल परियोजना, जिला बिलासपुर के निर्माण के लिये भूमि ली जानी अपेक्षित है, एतद्द्वारा यह घोषित किया जाता है कि निम्नलिखित विस्तृत विवरण में वर्णित भूमि उपर्युक्त प्रयोजन के लिये अपेक्षित है।



2. भू-अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों के लिये यह घोषणा की जाती है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन समाहर्ता, विलासपुर, जिला विलासपुर, हिमाचल प्रदेश की एतद्द्वारा उक्त भूमि के अर्जन के लिये आदेश लेने का निदेश दिया जाता है।

3. भूमि का रेखांक समाहर्ता (जिलाधीन विलासपुर), हिमाचल प्रदेश के कार्यालय में निरीक्षण किया जा सकेगा।

विनिर्देश

जिला: विलासपुर

तहसील: विलासपुर

इलाका/ग्राम	खसरा नं०	क्षेत्र विघा बिस्वा	
1	2	3	4
देवट मजारी	545	4	13
	546	1	0
	547	0	13
	548	0	12
	550	1	2
	551	1	0
	552	3	18
	553 मिन	0	6
	554	0	19
	566 मिन	1	1
	567 मिन	0	17
	568	2	19
	569	1	3
	570	1	15
	572	2	9
	573	1	13
	574	5	3
	576	1	5
	578	2	8
	579	2	1
	580	2	16
	581	2	11
	582	3	19
	583	1	5
	584	1	2
	585	0	5
	586	2	13
	587	0	11
	588 मिन	1	19
	589 मिन	0	2
	590 मिन	0	6
	605	1	15
	608	39	10
	651	1	4
	652	2	9
	653	9	2
	654	12	17
	655	6	18
	656	21	16
	657	16	19
	658	0	14
	659	2	3

कुल योग .. किसे 42

169 13

1 एकड़-5.34 बीघा (31-75 एकड़)

जिमला-171002, 20 नवम्बर, 1980

सं० विद्युत-छ (5)-16/76.—यतः हिमाचल प्रदेश के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश राज्य विद्युत परिषद द्वारा अपने व्यय पर सार्वजनिक प्रयोजन के लिए ग्राम सलियाना, तहसील पच्छाद में 33 के० बी० सब-स्टेशन तथा अन्य भवन के निर्माण के लिए भूमि की जानी अपेक्षित है, एतद्द्वारा यह घोषित किया जाता है कि निम्नलिखित विस्तृत विवरण में वर्णित भूमि उपर्युक्त प्रयोजन के लिए अपेक्षित है।

2. भू-अर्जन अधिनियम, 1894 की धारा 6 के उपबन्धों के अधीन सभी सम्बन्धित व्यक्तियों के लिए यह घोषणा की जाती है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन भू-अर्जन समाहर्ता, हिमाचल प्रदेश राज्य विद्युत बोर्ड को एतद्द्वारा उक्त भूमि के अर्जन के लिए आदेश लेने का निदेश दिया जाता है।

3. भूमि का रेखांक भू-अर्जन समाहर्ता, हिमाचल प्रदेश राज्य विजली बोर्ड, स्टोकम प्लेन, जिमला-2 के कार्यालय में निरीक्षण किया जा सकेगा।

विनिर्देश

जिला: मिरमोर

तहसील: पच्छाद

ग्राम	खसरा नं०	क्षेत्र बी०बि०
सलियाना	750/702/79/2-3	3 17

जिमला-171002, 20 नवम्बर, 1980

सं० विद्युत-छ (5)-12/80.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश राज्य विजली बोर्ड जो कि भू-अर्जन अधिनियम, 1894 (अधिनियम संख्या-1) सन् 1894 की धारा-3 (ई) के अन्तर्गत एक कम्पनी है के द्वारा अपने व्यय पर सार्वजनिक प्रयोजन नामतः 132 के० बी० लाईन वस्ती से हमीरपुर, ग्राम द्रोहण, तहसील व जिला हमीरपुर के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतः एतद्द्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि नीचे विवरणी में निदिष्ट किया गया है, उपरोक्त प्रयोजन के लिए भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों जो इससे सम्बन्धित हो सकते हैं की जानकारी के लिए भू-अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों, उनके कर्मचारियों और श्रमिकों को इलाक में किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमत सभी अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी ऐसा हितवद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन करने पर कोई आपत्ति हो, वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में

भू-अर्जन समाहर्ता, हिमाचल प्रदेश राज्य बिजली बोर्ड, मण्डी, जिला मण्डी के समक्ष अपनी आपत्ति दायर कर सकता है।

विवरण			तहसील: हमीरपुर		
जिला: हमीरपुर					
इलाका	बसरा नं०	क्षेत्र क० म०			
ब्रोहगण	2747/1	0 7			
	3973/1	0 4			
	3580/1	0 5			
	1299/1	0 5			
कुल .. किता	4	1 1			
			आदेश द्वारा, हस्ताक्षरित/- सचिव।		

लोक निर्माण विभाग

अधिसूचनाएं

शिमला-2, 7 अक्तूबर, 1980

सं० लो० नि० (ख) 1 (1)-3/80-मण्डी.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा सरकारी व्यय पर सार्वजनिक प्रयोजन नामतः लम्बा-थाच-चियूनी सड़क के निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है उपरोक्त प्रयोजन के लिये भूमि को अर्जित करना अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इस से सम्बन्धित हैं या हो सकते हैं की जानकारी के लिये भू-अर्जन अधिनियम, 1894 की धारा 4 के उपबन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राज्यपाल, हिमाचल प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधिकारियों/कर्मचारियों और श्रमिकों को इलाके में किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमत सभी अन्य कार्यों को करने के लिये महर्ष प्राधिकार देते हैं।

4. कोई भी ऐसा हितवद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, मण्डी, हिमाचल प्रदेश लोक निर्माण विभाग के सम्मुख अपनी आपत्ति दायर कर सकता है।—

विस्तृत विवरण

जिला: मण्डी		तहसील: चम्पाट	
		क्षेत्र	
नं०	बसरा संख्या	बीघा विस्वा विस्वा०	
1	2	3	4 5
रङ्गण	39811	1	1 0
	1811	0	10 0
	38311	0	11 16

1	2	3	4	5
	39111	0	1 2	
	1511	0	2 6	
	38111	0	19 9	
	38011	0	9 12	
	1611	0	0 12	
	1411	0	2 12	
	39511	0	7 9	
	36811	0	2 8	
	36611	0	2 0	
	39611	0	6 19	
	52911	0	12 17	
	53111	0	9 13	
	40311	0	3 18	
	55211	0	4 2	
	53211	0	19 14	
	36711	0	7 7	
	39711	0	12 4	
	54911	0	4 10	
	54912	0	4 8	
जोड़ .. किता	22	9	8 18	

आदेश द्वारा,  
हस्ताक्षरित/-  
सचिव।

शिमला-2, 7 अक्तूबर, 1980

संख्या लो० नि० (ख) 1 (1)-4/80.—यतः राज्यपाल, हिमाचल प्रदेश को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार द्वारा सरकारी व्यय पर सार्वजनिक प्रयोजन नामतः अर्की-डोमेहर-बदलोग-जावरू सड़क निर्माण हेतु भूमि अर्जित करनी अपेक्षित है, अतएव एतद्वारा यह अधिसूचित किया जाता है कि उक्त परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है उपरोक्त प्रयोजन के लिये भूमि का अर्जन अपेक्षित है।

2. यह अधिसूचना ऐसे सभी व्यक्तियों को इससे सम्बन्धित हैं या हो सकते हैं की जानकारी के लिये भू-अर्जन अधिनियम, 1894 की धारा 4 के उप-बन्धों के अन्तर्गत जारी की जाती है।

3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों को प्रयोग करते हुये, राज्यपाल, हिमाचल प्रदेश, इस समय इस उपक्रम में कार्यरत सभी अधिकारियों/कर्मचारियों और श्रमिकों को इलाके में किसी भी भूमि में प्रवेश करने तथा सर्वेक्षण करने और उस धारा द्वारा अपेक्षित अथवा अनुमत सभी अन्य कार्यों को करने के लिए सहर्ष प्राधिकार देते हैं।

4. कोई भी ऐसा हितवद्ध व्यक्ति जिसे उक्त परिक्षेत्र में कथित भूमि के अर्जन पर कोई आपत्ति हो तो वह इस अधिसूचना के प्रकाशित होने के तीस दिनों की अवधि के भीतर लिखित रूप में भू-अर्जन समाहर्ता, हिमाचल प्रदेश लोक निर्माण विभाग के सम्मुख अपनी आपत्ति दायर कर सकता है।





1	2	3	4	5	1	2	3	4	5
	72511	00	00	12					
	76911	00	00	88					
	कुल जोड़ :	00	85	14					
		हस्त 0							
		सचिव 1							
*ग्राम झला शरणा मार्ग के निर्माण हेतु									
सं० लो० नि० (ख) 1 (1)-12/80									
शिमला-2, 8 अक्तूबर, 1980									
तहसील: मुरंग									
गांव	खसरा नं०	क्षेत्र	विषा विस्वा		जोड़ किता : 31		12	15	
1	2	3	4						
शरंग	90811	0	3						
	91111	0	3						
	91211	0	14						
	90611	0	3						
	88811	0	1						
	1647190411	0	2						
	89311	0	4						
	1930189011	0	8						
	96211	0	4						
	87911	0	5						
	87811	0	1						
	106711	0	6						
	19101106811	0	2						
	2081-90911	0	7						
	208190912	0	4						
	90711	0	11						
	88911	0	6						
किता : 17		4	4						
*झला अकपा/शरंग मार्ग के निर्माण हेतु									
अकपा	4851111	0	9						
	4841112	0	3						
	61511	1	6						
	51511	0	14						
	5161 1	0	5						
	505111	0	7						
	5071111	0	10						
	5181111	0	11						
	5891111	1	6						
	163:1	0	4						
	9011	0	13						
	18311	0	4						
	5111	0	6						
	521 1	0	4						
	5911	0	8						
	5011111	0	3						
	17111	0	2						
	17711	0	2						
	5081111	0	9						
	5081113	0	14						
	47811	0	14						
	17511	0	13						
संख्या लो० नि० (ख) 1 (1)--12/80:-यतः हिमाचल प्रदेश									
के राज्यपाल को यह प्रतीत होता है कि हिमाचल प्रदेश सरकार को									
अपने व्यय पर सार्वजनिक प्रयोजन के लिये नाम तः उत्तर प्रदेश सरकार									
के अधीनस्थ बन रही यमुना हाईडल स्कीम द्वितीय चरण के विवरों									
एवं खोदरी विद्युत गृह और सड़क के निर्माण हेतु भूमि अर्जित करनी									
अपेक्षित है, अतएव: एतद्वारा यह अधिसूचित किया जाता है कि उक्त									
परिक्षेत्र में जैसा कि निम्न विवरणी में निर्दिष्ट किया गया है उपरोक्त									
प्रयोजन के लिये भूमि का अर्जन अपेक्षित है।									
2. यह अधिसूचना ऐसे सभी व्यक्तियों को जो इस से सम्बन्धित									
हो सकते हैं, की जानकारी के लिये भू- अर्जन अधिनियम की धारा									
4 की उप-धारा (1) के उपबन्धों के अन्तर्गत जारी की जाती है।									
3. पूर्वोक्त धारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये,									
राज्यपाल, हिमाचल, प्रदेश इस समय इस उपक्रम में कार्यरत सभी अधि-									
कारियों, उन के कर्मचारियों और श्रमिकों की इलाके में किसी भूमि									
को प्रवेश करने और सर्वेक्षण करने और उस धारा द्वारा अपेक्षित									
या अनुमत अन्य सभी कार्य करने के लिये सहर्ष प्राधिकार देते हैं।									
4. अत्याधिक आवश्यकता को दृष्टि में रखते हुये राज्यपाल उक्त									
अधिनियम की धारा 17 की उप-धारा (4) के अधीन यह भी									
निदेश देते हैं कि उक्त अधिनियम की धारा 5-ए के उपबन्ध इस									
मामले में लागू नहीं होंगे।									
विस्तृत विवरण									
जिला: सिरमौर									
तहसील: पौंटा									
गांव	खसरा नं०	क्षेत्र	विषा विस्वा						
1	2	3	4	5	6				
(एकड़ों में)									
किलौड़	166/136/2/1	1	8	0-30					
	160/24 1	1	14	0-36					
	160/24 2	1	12	0-12					
	4/1	0	12	0-12					
	5/211	1	5	0-26					

1	2	3	4	5
	112/22 1	1	8	0-30
	112/22/2	0	5	0-5
	106 6, 1	0	4	0-4
	125/114	2	14	0-56
कलाया	576/1	0	7	0-7
	554/1	1	13	0-35
	574/1	0	16	0-17
	567/1	1	17	0-39
	571	0	10	0-10
	575 1	0	13	0-14
	575/3	0	7	0-7
	572/1	0	3	0-4
	545/1	0	11	0-17
	545/3	0	3	0-04
	545 4	0	18	0-18
	573/1	0	4	0-04
टोर	424/1	1	18	0-40

आदेश द्वारा,  
इत्ताक्षरित/-  
सचिव।

(REVENUE DEPARTMENT)  
PONG DAM CELL  
NOTIFICATION

Simla-171002, the 25th September, 1980

No. 13-6/70-Rev-Cell.—In supersession of this Department Notification of even number dated the 30th November, 1979 the Governor, Himachal Pradesh is pleased to re-constitute 'Bakra Project Oustees Rehabilitation Advisory Committee to advise the Government in proper rehabilitation of Oustees and other matters concerned therewith, for a period of one year from the date of issue of this notification, consisting of the following persons, namely:—

Non-Officials:

1. Chief Minister	..	Chairman
2. Revenue Minister	..	Vice-Chairman
3. Shri N. C. Prashar, M. P.	..	Member
4. Shri D. R. Sankhyani, M.L.A.	..	"
5. Shri Ram Nath Sharma, M.L.A.	..	"
6. Shri Bachittar Singh, M.L.A.	..	"
7. Shri Anand Chand, M.L.A.	..	"
8. Shri Sita Ram Sharma, Ex-M.L.A.	..	"
9. Shri Ram Rakha Sharma, V.P.O. Chauta Thathal, Via Talai, District Bilaspur	..	"
10. Chairman, Panchayat Samiti, Gehrwin, District Bilaspur	..	"
11. Chairman, Panchayat Samiti Sadar Bilaspur	..	"
12. Mian Wattan Singh Ex-Deputy Director, Agriculture	..	"
13. Shri Nikku Ram, Ex-M.L.A.	..	"
14. Shri Kishori Lal Tadu, Ex-M.L.A.	..	"
15. Mian Kuldeep Singh, Ex, M.L.A.	..	"

Officials:

16. Shri P. P. Srivastva, Financial Commissioner	..	"
17. Secretary to Government H.P. (Forest)	..	"
18. Secretary to Government H. P. (P.W.D.)	..	"
19. Divisional Commissioner, Simla Division, Simla-2	..	"

20. Deputy Commissioner, Bilaspur	..	Member
21. Deputy Secretary (Pong Dam & Rehabilitation) to Government) H. P.	..	Member-Secretary

2. The Official members will be entitled to travelling allowance and daily allowance according to the rules governing them.

3. The non-official members of the Committee will be entitled to draw travelling and daily allowances as per 'Annexure' in respect of the journeys etc. that may be performed in connection with the work assigned to the Committee.

4. The Deputy Commissioner Bilaspur, will be the Controlling Officer in respect of the countersigning of the travelling allowance bills of the non-official members and the T. A. Bills also be prepared in his District Office.

5. The expenditure on T. A. & D. A. etc. of the non-official members in connection with the meeting of the Committee will be debitable to head "253—District Administration (b) District Establishment Travelling Expenses."

6. This issues with the prior concurrence of the Finance Department obtained vide their U.O. No. Fin. (C) B (15) 5/78, dated 22-7-80.

ANNEXURE

T.A. & D.A. TO NON-OFFICIAL MEMBERS OF THE COMMITTEE

1. TRAVELLING ALLOWANCE:

(i) Journey by Rail.—(a) Members of Parliament:—

A member of Parliament serving on the advisory Committee will utilise the free first Class fare issued to him as M. P. in respect of all journeys undertaken by him on the business of the Advisory Committee. He will not travel by air-conditioned accommodation at Government expenses. If such a Member travels by air conditioned coach he will pay the difference between fare for the air conditioned and first class accommodation from his own pocket.

(b) They will be treated at par with Government servants of the first grade and will be entitled to actual rail fare of the class of accommodation actually used but not exceeding the fare in which the Government servants of the first grade are normally entitled that is accommodation of the highest class by whatever name it may be called provided on the railway by which the journey is performed.

(ii) Journey by Road.—They will be entitled to actual fare for travelling by taking a single seat in a public bus and if the journey is performed by motor cycle/scooters, mileage allowance at 33 paise per km. for plain areas and 43 paise, per km. for hilly areas, and if the journey is performed by own car, the Members will be entitled to mileage allowance at Rs. 1.10 P. per km. in the hill areas and the plains and at Rs. 1.40 paise per km. in the hill areas and by a full taxi at Rs. 1.40 per km. (which rates are inclusive of elements of 33½% increase for (H.P.).

(iii) In addition to the actual fare or mileage as per item (1) and (i) above, a member shall draw daily allowance for the entire absence from his permanent place of residence starting with arrival at that place, at the same rate and subject to the same terms and conditions as apply to Grade I Officers of the State Government.

2. DAILY ALLOWANCE:

(i) Non-officials members be entitled to draw daily allowance for each day of the meeting at the highest rate as admissible to a Government servant of the First Grade for the respective locality.

(ii) In addition to daily allowance for the day(s) of the meeting, a member shall also be entitled to daily

allowance for halt on tour at out-station in connection with the affairs of the committee as under:—

- |   |         |
|---|---------|
| (a) If the absence from headquarters does not exceed 6 hours                      | .. Nil  |
| (b) If the absence from headquarters exceeds 6 hours but does not exceed 12 hours | .. 70%  |
| (c) If the absence from headquarters exceed 12 hours                              | .. Full |

### 3. CONVEYANCE ALLOWANCE:

A member, resident at a place where the meeting of the Committee is held will not be entitled to travelling and daily allowance on the scales indicated above, but will be allowed only the actual cost of conveyance hire, subject to a maximum of Rs.10.00 per day. Before, the claim is actually paid to the controlling officer should verify the claims and satisfy himself after obtaining such details as may be considered necessary, that the actual expenditure was not less than the amount claimed.

If such a member used his own car, he will be granted mileage allowance at the rates admissible to officials of the First Grade subject to a maximum of Rs. 10.00 per day.

4. The travelling and daily allowance will be admissible to member on production of a certificate by him to the effect that he has not drawn any travelling or daily allowance for the same journey and halts from any other Government source.

5. The members will be eligible for travelling allowance for the journey actually performed in connection with the meetings of the Committee from and to the place of their permanent residence to be named in advance. If any member performs a journey from a place other than the place of his permanent residence to attend a meeting of the Committee or returns to the place other than the place of his permanent residence after the termination the meeting, travelling allowance shall be worked out on the basis of the distance actually travelled or the distance between the place or permanent residence and the avenue of the meeting whichever is less.

6. *Members of the Parliament.*—The Member of Parliament on the Advisory Committee in respect of journey performed by him by rail, road, air and steamer in connection with the work of Committee, shall be entitled to T.A./D.A. on the same scale as is admissible to him under salaries and allowances of Members of Parliament Act as amended from time to time.

7. *Members of Vidhan Sabha.*—The non-official members who are members of the Vidhan Sabha shall be entitled to T.A./D.A. in respect of journeys performed in connection with the work of the Committee on the scale as is admissible to them under salaries and allowances of Members of Legislative Assembly Act as amended from time to time.

8. The Members will not be entitled to daily allowance in connection with their assignment when the Vidhan Sabha or the Vidhan Committee on which the members are serving is in Session as they will be drawing their daily allowance under the Salaries and allowances of members of the Legislative Assembly (H.P.) Act, 1971 from the Vidhan Sabha. However, if they certify, that they were prevented from attending the session of the House or the Vidhan Sabha Committee and did not draw any daily allowance from the Vidhan Sabha, they would be entitled to daily allowance at the rate as prescribed.

9. The provision of rule 4.17 and 6.1 of the Himachal Pradesh Treasury Rules will apply *mutatis mutandis* and is in the case of over payment made on account of travelling allowance to non-official members.

10. The member will also not draw T. A. and D. A. including conveyance allowance which will disqualify them from the Vidhan Sabha.

11. *Official Members.*—The official members shall be entitled to the travelling and daily allowance admissible to them according to the rules governing them.

By order,

P. P. SRIVASTAVA,  
Secretary (Revenue).

## भाग—2 वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

### उद्योग विभाग

#### नीलामी सूचनाएं

“सर्व साधारण को सूचित किया जाता है कि मण्डी जिला की लघु खनिज खानों की सार्वजनिक नीलामी खण्ड विकास अधिकारी, जोगिन्दरनगर, गांधी भवन मण्डी, खण्ड विकास अधिकारी, सरकाघाट तथा खण्ड विकास अधिकारी, करसोग के कार्यालय में क्रमशः 29-1-81, 31-1-81, 2-2-81 तथा 4-2-81 को सुबह 11.00 बजे की जाएगी। खानों के विवरण तथा पूर्ण जानकारी के लिए खनिज अधिकारी, मण्डी के कार्यालय से सम्पर्क स्थापित करें।”

“सर्व साधारण को सूचित किया जाता है कि जिला कांगड़ा की लघु खनिज खानों की सार्वजनिक नीलामी खण्ड विकास अधिकारी, वैजनाथ, कांगड़ा, देहरा तथा तूरपुर में क्रमशः दिनांक 9, 10, 13 व 11 फरवरी, 1981 को 11.00 बजे सुबह की जाएगी। पूर्ण जानकारी प्राप्त करने हेतु महा प्रबन्धक, जिला उद्योग केन्द्र, धर्मशाला के कार्यालय से सम्पर्क स्थापित करें।”

हस्ताक्षरित,  
निदेशक।

# AGRICULTURE DEPARTMENT

## NOTIFICATION

Chamba, the 3rd March, 1980

No. Agr. SCS-CBA-7/79-80-189.—Whereas the District Land Development Committee, Chamba, District Chamba, (H.P.) has prepared the Land Development Schemes under section 4 of the Himachal Pradesh Land Development Act, 1973, in respect of the area given against each scheme indicated in the list attached.

And whereas the State Government keeping in view the consents of persons aforesaid and after consideration the committee has sanctioned the schemes under section 5 (2) of the said Act.

And whereas all the persons affected by the scheme and also the village concerned have consented to the execution of these schemes, no objection received from the Agricultural Inspectors concerned.

Now, therefore, the schemes sanctioned by the Committee under section 5 (2) are hereby published in the Rajpatra, Himachal Pradesh for the information of concerned persons as required by section 6 of the said Act and it shall come into force immediately.

Sd/-  
Chairman,  
District Land Development Committee-cum-  
Deputy Commissioner, Chamba Distt. Chamba (H.P.).

### LIST OF SOIL CONSERVATION SCHEMES APPROVED IN THE MEETING OF DISTRICT LAND DEVELOPMENT COMMITTEE CHAMBA HELD ON 26-10-1979

Sl. No.	Scheme No.	Name of beneficiaries	Village	Panchayat Circle	Khasra Nos.	Area under Planning	Total Estt. cost	Amount of loan/subsidy	Type of work
1	2	3	4	5	6	7	8	9	10
TEHSIL : PANGI									
1.	PNG-CBA-303/79-80	Smt. Rumali w/o Shri Shiv Lal.	Paghwat	Karyas	161,173, 174	Hect. 0.41	2048.00	1024/1024	Rem.
2.	PNG-CBA-304-79-80	Shri Ram Dyal s/o Shri Dhan Pat.	Hunall	-do-	512/236/286, 317	0.38	1900.00	950/950	-do-
3.	PNG-CBA-305/79-80	Shri Udara s/o Shri Parja	Puntoo	Karel	15/1, 343/1 343/1 343/2, 350/2.	0.40	2500.00	1250/1250	Rec.
4.	PNG-CBA-306/79-80	Shri Shanku s/o Shri Sadhu	Puntoo	-do-	44, 48, 39, 89 92/1	0.27	2034.00	1017/1017	Rem & Rec.
5.	PNG-CBA-307/79-80	Shri Charu Chand s/o Shri Jarmu.	Puntoo	-do-	32, 58, 262	1.36	6800.00	3400/3400	-do-
6.	PNG-CBA-308/79-80	Shri Karmu s/o Shri Narayan.	Kawas	-do-	2/2	0.26	1624.00	812/812	Reclamation

1	2	3	4	5	6	7	8	9	10
7.	PNG-CBA-309/79-80	Shri Jai Kishan s/o Takwas	Kilar		460/1, 524/1	0.30	1874.00	937/937	Rec.
8.	PNG-CBA-310/79-80	Shri Dyal s/o Shri Ram	-do-	-do-	542, 550, 559, 580, 593, 633.	2.12	10000.00	5000/5000	Rem.
9.	PNG-CBA-311/79-80	Shri Chuni Lal s/o Shri Kothi	-do-		7, 133, 249	0.49	2448.00	1224/1224	-do-
10.	PNG-CBA-312/79-80	Shri Jagdev s/o Shri Lal	Purthi	Sach	649, 14, 160	0.71	3550.00	1775/1775	-do-
11.	PNG-CBA-313/79-80	Shri Moti Ram, Kali Dass, Bhimi Ram, Garib Dass s/o Shri Saparu.	-do-	Purthi	547, 645, 654, 699	1.01	5050.00	2525/2525	-do-
12.	PNG-CBA-314/79-80	Shri Bhagat Ram s/o Shri Ghantu.	Purthi	-do-	220, 227, 234, 496, 619.	1.38	6900.00	3450/3450	-do-
13.	PNG-CBA-315/79-80	Shri Ram Lal s/o Shri Parem Dass.	-do-	-do-	198, 262, 189, 260, 269.	0.44	2200.00	1100/1100	-do-
14.	PNG-CBA-316/79-80	Shri Moti Ram s/o Shri Sapuran.	-do-	-do-	23	0.41	2050.00	1025/1025	-do-
15.	PNG-CBA-317/79-80	Shri Pahlad s/o Shri Devi Charan.	-do-	-do-	187, 263, 303, 241, 277, 304, 357.	1.54	7700.00	3850/3850	-do-
16.	PNG-CBA-318/79-80	Shri Ram Charan, Laxman Dass, Bhuju s/o Shri Suba.	-do-	-do-	503, 653, 669, 352, 8, 11, 24.	1.43	7150.00	3575/3575	-do-
17.	PNG-CBA-319/79-80	Shri Bhimi Ram s/o Shri Sapuran.	-do-	-do-	205	0.41	2050.00	1025/1025	-do-
18.	PNG-CBA-320/79-80	Shri Kali Dass s/o Shri Sapuran.	-do-	-do-	9, 49, 182, 3	0.23	1150.00	575/575	-do-
19.	PNG-CBA-321/79-80	Shri Bhakh Ram s/o Shri Bhag Dass.	-do-	-do-	311, 640, 583, 585, 716, 21, 321, 62, 79, 94.	1.17	5850.00	2925/2925	-do-
20.	PNG-CBA-322/79-80	Shri Bhima & Santu s/o Shri Shiv Ram.	-do-	-do-	116, 117, 120, 149	1.56	7800.00	3900/3900	-do-
21.	PNG-CBA-323/79-80	Shri Haru s/o Shri Karam Chand.	Purthi	Purthi	15, 12, 29, 158	1.16	5800.00	2900/2900	Remodeling.
22.	PNG-CBA-324/79-80	Shri Amar Chand s/o Shri Chet Ram.	-do-	-do-	16, 501	0.64	3200.00	1600/1600	-do-
23.	PNG-CBA-325/79-80	Shri Brijia, Bhanu s/o Shri Hari Chand.	-do-	-do-	11, 251, 610, 247, 288, 283, 484, 28, 286.	1.32	6600.00	3300/3300	-do-
24.	PNG-CBA-326/79-80	Shri Bhimi Ram, Dholi Thandal Ram s/o Shri Tumu.	Thandal	-do-	17, 32, 62, 74, 261, 433, 434.	2.30	10000.00	5000/5000	-do-
25.	PNG-CBA-327/79-80	Shri Karam Dass, Dharam Dass, Jyoti urf Lajat & Birbal s/o Shri Dharam Dayal.	Rai	Rai	134, 147, 420, 784, 915, 919, 1105.	2.01	10000.00	5000/5000	-do-



26. PNG-CBA-328/79-80	Shri Tulshi Ram, Bhagwan Dass, Moti Ram s/o Shri Guru & Sakhan.	-do-	-do-	4, 110, 117, 125, 193, 237, 247, 237, 489, 604, 624, 1080.	2.28	10000.00	5000/5000	-do-
27. PNG-CBA-329/79-80	Shri Nardu, Mangal Chand, Thounu s/o Shri Thagu.	Purthi	-do-	29, 223, 241, 300, 490, 600, 1034.	1.25	6250.00	3125/3125	-do-
28. PNG-CBA-330/79-80	Shri Ashan Chand, Mani Ram s/o Shri Brij Dev.	Rai	Rai	127, 108	2.20	10000.00	5000/5000	-do-
29. PNG-CBA-331/79-80	Shri Sar Chand, Man Singh, Subhan, Mahesh Dass s/o Shri Dhurma, Dholi Ram.	-do-	-do-	387, 393, 586, 608, 614, 707, 1016, 1077, 144, 145, 390, 399, 585, 1041, 1029.	4.00	10000.00	5000/5000	-do-
30. PNG-CBA-332/79-80	Shri Jagdevs/o Shri Karam.	Ajogh	-do-	388	0.35	1750.00	875/875	-do-
31. PNG-CBA-333/79-80	Shri Mahesh Dass Darji s/o Shri Fagnu	Sach	Sach	7, 135, 140, 146, 166, 173, 175, 217, 274.	2.24	10000.00	5000/5000	-do-
32. PNG-CBA-334/79-80	Shri Amar Chand s/o Shri Jai Ram.	Chhou	Rai	320, 330, 21, 8/1, 24	1.04	5200.00	2600/2600	-do-
33. PNG-CBA-335/79-80	Shri Daulat Ram s/o Shri Dass.	Findru	Sach	24	0.57	3562.00	1781/1781	Rec.
34. PNG-CBA-336/79-80	Shri Budhi Ram s/o Shri Gur Dayal.	-do-	-do-	39	0.40	2500.00	1250/1250	Rec.
35. PNG-CBA-337/79-80	Shri Puran Chand, Shri Suni Ram s/o Shri Dayalu.	Ghawari	Kumar	176, 39	0.55	2750.00	1375/1375	Rem.
36. PNG-CBA-338/79-80	Shri Chet Ram s/o Shri Jhabah.	Dha-Nalah	Sahli	183	0.55	2750.00	1375/1375	-do-
37. PNG-CBA-339/79-80	Shri Pahapaku s/o Shri Hira	Chasak	Sach	413/1, 414/2, 414/1	0.79	3950.00	1975/1975	Rec.
38. PNG-CBA-340/79-80	Shri Tit Ram s/o Shri Ram Chand.	Dharwas	Dharwas.	46	0.27	1350.00	675/675	Rem.
39. PNG-CBA-341/79-80	Shri Mahesh Chand s/o Shri Kunj Lal.	Luj	Luj	190, 566, 371, 538, 550.	0.38	1900.00	950/950	-do-
40. PNG-CBA-342/79-80	Shri Karam Ram s/o Shri Dalpat.	Thamoh	Kilad	397/2, 397/2.	0.10	624.00	312/312	Rec.
41. PNG-CBA-343/79-80	Shri Birbal s/o Shri Lamma	Seri Bharwas	Kilar	123, 227, 228, 435, 515.	0.69	3452.00	1726/1726	Rem.
42. PNG-CBA-344/79-80	• Shri Kahan Chand, Chand, Nanak s/o Shri Bikhu.	Dharam Chand	Puntoo Karel	125, 157, 165, 171, 210, 222, 7, 67, 68, 93, 94, 95, 99, 100, 171, 176, 15/1, 18.	1.29	6672.00	3336/3336	Rem. & Rec.
				B.B.F.	42.77	200968.00	10044/100484	
43. PNG-CBA-345/79-80	Shri Bajir Chand s/o Shri Parlahad.	Puntoo	Karel	357/5/1, 357/5/3, 280, 18, 19, 20, 35, 65, 124, 151, 152, 169, 192, 232.	0.84	4836.00	2418/2418	Rem. & Rec.

1	2	3	4	5	6	7	8	9	10
44.	PNG/CBA-346/79-80	Shri Bhagwan Dass, Beli Ram, Dolli Ram s/o Shri Daila Ram.	Puntoo	Karel	356/5, 6, 43, 142, 148, 149, 341.	0.60	3000.00	1500/1500	Rem.
45.	PNG-CBA-347/79-80	Shri Mai Dass s/o Adla.	Maliyat	-do-	8, 34	0.38	1900.00	950/950	-do-
46.	PNG-CBA-348/79-80	Shri Dalip Chand, Tika Ram s/o Shri Jantu.	Kawas	-do-	163, 167, 300, 379, 488, 417.	0.34	1700.00	850/850	-do-
47.	PNG-CBA-349/79-80	Shri Chunni Lal s/o Shri Kishan.	-do-	-do-	419, 284, 303, 304, 614, 615.	0.60	3000.00	1500/1500	-do-
48.	PNG-CBA-350/79-80	Shri Amar Chand s/o Shri Santa.	Hugal	Kariyas	24, 230, 328	1.13	5652.00	2826/2826	-do-
49.	PNG-CBA-351/79-80	Shri Mahesh Chand s/o Birbal	Dharwas	Dharwas	242, 353	0.19	952.00	476/476	-do-
50.	PNG-CBA-352/79-80	Shri Sohan Lal s/o Shri Jantto.	Dharwas/ Kuthah	-do-	155, 158	0.61	3048.00	1524/1524	-do-
51.	PNG-CBA-353/79-80	Shri Chuni Lal s/o Devi Sukh.	Kuthah	Luj	470/437, 301	0.37	1848.00	924/924	-do-
52.	PNG-CBA-354/79-80	Shri Sanam Guru s/o Sunam Jeet.	-do-	Dharwas	289/1	0.16	800.00	400/400	-do-
53.	PNG-CBA-355/79-80	Shri Tak Chand s/o Heera.	Chiloli	-do-	213	0.42	2100.00	1050/1050	-do-
54.	PNG-CBA-356/79-80	Shri Bajir Chand, Suraj Ram s/o Thulu.	-do-	-do-	93/1, 98	0.32	1600.00	800/800	-do-
55.	PNG-CBA-357/79-80	Shri Gian Chand s/o Shri Heera.	-do-	-do-	265	0.27	1348.00	674/674	-do-
56.	PNG-CBA-358/79-80	Shri Nanak Chand, Nek Chand, Bali Ram s/o Shri Gangu.	Rusmas	Sural	19, 27, 29, 100, 138, 215, 249, 272, 339, 262.	1.32	6600.00	3300/3300	-do-
57.	PNG-CBA-359/79-80	Shri Padama s/o Shri Munjru.	Sural (Bhatauri)	Sural	44, 2, 495, 496, 530, 586.	1.20	6000.00	3000/3000	-do-
58.	PNG-CBA-360/79-80	Shri Budhi Ram s/o Shri Mani Ram	-do-	-do-	323, 637/324, 440, 507, 509, 510, 607.	0.80	4000.00	2000/2000	-do-
59.	PNG-CBA-361/79-80	Shri Taru & Basakhi s/o Shri Daulu.	Sach	Sach	78, 81, 156, 213, 214, 222, 225.	2.00	10000.00	5000/5000	-do-
60.	PNG/CBA-362/79-80	Shri Jai Dass s/o Shri Gauri Dass.	Mindhal	-do-	8, 22, 32	0.96	4800.00	2400/2400	-do-
61.	PNG-CBA-363/79-80	Shri Tulsu Ram s/o Shri Man Chand.	-do-	-do-	282, 29, 86, 99, 344, 349.	1.90	9500.00	4750/4750	-do-
62.	PNG-CBA-364/79-80	Shri Ain Ram s/o Shri Futu.	-do-	-do-	221, 224, 229, 230	0.90	4500.00	2250/2250	-do-
63.	PNG-CBA-365/79-80	Smt. Sunri w/o Shri Tulsu Ram.	Findpar	-do-	191	0.37	1848.00	924/924	-do-
64.	PNG-CBA-366/79-80	Shri Seru & Dharam Chand s/o Phate Chand.	-do-	-do-	144, 201, 305, 312	1.66	8300.00	4150/4150	-do-
65.	PNG-CBA-367/79-80	Shri Chet Ram s/o Shri Charan Dass.	Fandal	Purthi	276, 512, 565, 616, 627, 628.	0.86	4300.00	2150/2150	-do-
66.	PNG-CBA-368/79-80	Shri Baldev s/o Shri Devi Dass.	Purthi	-do-	61, 86, 320.	0.84	4200.00	2100/2100	-do-

67. PNG-CBA-369/79-80	Shri Shiri Ram s/o Shri Shiv Rai Charan.	Rai	48, 52, 118, 121, 130, 702.	2.92	10000.00	5000/5000	-do-
68. PNG-CBA-370/79-80	Shri Mohan Lal s/o Shri Chand Dass.	Udeen	Sachu 552, 445/282, 556/378, 553/445, 282, 150, 181/1.	1.00	5436.00	2718/2718	Rec. & Rem.
69. PNG-CBA-371/79-80	Shri Bhag Singh, Gurdial, Madan Lal, Suni Ram s/o Shri Duni Chand & Tulsu.	-do-	Soon 190, 192, 193, 201, 197, 488.	2.08	10000.00	5000/5000	Remodelling
70. PNG-CBA-372/79-80	Shri Parsia s/o Shri Chand Dass.	-do-	-do- 544/282, 173, 176, 331, 39, 83, 161, 163.	1.70	8500.00	4250/4250	-do-
71. PNG-CBA-373/79-80	Shri Ganga Ram s/o Shri Maya Dass.	Soon	-do- 224, 91.	0.44	2200.00	1100/1100	-do-
72. PNG-CBA-374/79-80	Shri Hoshiar Chand s/o Shri Sohan Lal.	-do-	-do- 32, 64, 87/1, 87.	1.26	6300.00	3150/3150	-do-
73. PNG-CBA-375/79-80	Shri Jalpi, Girdhari Lal, Seser Chand s/o Shri Tola, Param Dass.	Mohani (Machiam).	Sahli 4, 120, 119, 118, 117, 116, 121, 106, 108, 110, 111, 113.	2.60	10000.00	5000/5000	-do-
74. PNG-CBA-376/79-80	Shri Sapuran, Jalam Singh s/o Shri Dhan Rath & Kirpa Ram.	Leu	-do- 94, 102, 126, 141, 147.	0.93	4648.00	2324/2324	-do-
75. PNG-CBA-377/79-80	Shri Chiring Ram s/o Shri Naroop.	Helu Town	Sachu 4/1, 15, 30, 30, 38, 39, 44, 47, 58, 78, 124/1, 149, 154, 187.	1.46	7300.00	3650/3650	-do-
76. PNG-CBA-378/79-80	Shri Sant Ram s/o Shri Man Chand.	Sahli	Sahli 174/96, 124, 3, 6, 7	0.60	3000.00	1500/1500	-do-
77. PNG-CBA-379/79-80	Shri Shiv Lal s/o Shri Man Chand.	-do-	-do- 174/96, 124, 3, 6, 7	0.60	3000.00	1500/1500	-do-
78. PNG-CBA-380/79-80	Shri Moti Ram, Shri Prem Lal, Chain Lal s/o Shri Sadho	Hillour	-do- 33, 80, 91, 95, 7, 87, 355, 359, 375, 377, 393, 394, 406, 416, 419, 460.	0.91	4548.00	2274/2274	-do-
79. PNG-CBA-381/79-80	Shri Baldev, Mansa Ram s/o Shri Shri Kanth.	-do-	-do- 14, 15, 54, 82, 105, 106, 108, 129, 141, 143, 144, 156.	1.80	9000.00	4500/4500	-do-
80. PNG-CBA-382/79-80	Shri Hari Ram s/o Shri Duni Chand.	-do-	-do- 34, 90, 131, 150, 159, 160, 162, 342, 343, 345, 352, 392.	0.81	4048.00	2024/2024	-do-
81. PNG-CBA-383/79-80	Shri Devi Dass s/o Sarwan	-do-	-do- 411, 458/1	0.55	2748.00	1374/1374	-do-
82. PNG-CBA-384/79-80	Shri Mugalu s/o Shri Jumu	Kumar	Kumar 110, 112, 145, 147, 194, 224, 233, 310, 342, 355.	1.90	9500.00	4750/4750	-do-

1	2	3	4	5	6	7	8	9	10
83.	PNG-CBA-385/79-80	Shri Sunamjeet s/o Shri Chand Ram.	Parmar	Kumar	78, 80, 89, 221, 223, 302, 336, 453, 533.	0.82	4100.00	2050/2050	Remodelling
84.	PNG-CBA-387/89-80	Smt. Raso d/o Shri Rikhu	Kawas	Karel	140, 178, 332, 431	0.82	4100.00	2050/2050	-do-
85.	PNG-CBA-388/79-80	Shri Bhima Ram, Shambu Ram s/o Shri Mohan Lal.	Thandhal	Purthi	102, 110, 108, 109, 112, 451, 566.	1.54	7700.00	3850/3850	-do-
86.	PNG-CBA-389/79-80	Shri Haru, Achhi Ram, Smt. Moti wd/o Keshav, Muni Lal, Tokha Ram.	Rai	-do-	60, 75, 457, 1005, 1044, 1046.	1.84	9200.00	4600/4600	-do-
87.	PNG-CBA-390/79-80	Shri Tulshi Ram s/o Shri Mani Dass.	Findpar	Sach (Midhal).	57, 42, 380.	0.46	2300.00	1150/1150	-do-
88.	PNG-CBA-391/79-80	Shri Puran Chand s/o Shri Mutlabi.	Findpar	Sach	71, 93, 205, 293, 321.	1.06	5300.00	2650/2650	Remodelling.
89.	PNG-CBA-392/79-80	Shri Manglu s/o Shri Gatu	-do-	-do-	71, 93, 205, 293, 321.	1.06	5300.00	2650/2650	-do-
90.	PNG-CBA-393/79-80	Shri Mathdu s/o Shri Datta Ram.	Kuthal	-do-	2, 3, 31, 34, 108, 167.	0.92	4600.00	2300/2300	-do-
91.	PNG-CBA-394/79-80	Shri Karam Chand s/o Shri Singhu.	Dhanala	Sahli	17, 54, 76, 51, 53	1.27	6350.00	3175/3175	-do-
92.	PNG-CBA-395/79-80	Shri Ram Lok s/o Shri Sant Ram.	Udeen	Soon	81, 82, 80, 135, 336, 236, 263, 264, 320, 321.	1.40	7000.00	3500/3500	-do-
93.	PNG-CBA-396/79-80	Shri Roshan Lal, Gian Singh, Ram Nath s/o Shri Suraj Ram, Moti.	Udeen	Sechu	67, 543/130, 153, 172, 174.	1.60	8000.00	4000/4000	-do-
94.	PNG-CBA-397/79-80	Shri Suhnu s/o Shri Kunku	Chasak	-do-	68, 38, 510/256, 262, 265, 513/62, 516, 463.	1.62	8100.00	4050/4050	-do-
95.	PNG-CBA-398/79-80	Shri Ram Dayal, Ram Nath, Ram Lok s/o Shri Metu.	Sechu (Chasak).	-do-	91, 130, 393	0.62	3100.00	1550/1550	-do-
UNDER ANTYODAYA PROGRAMME									
96.	PNG-CBA-386/79-80	Smt. Ruhli wd/o Shri Shayam Lal.	Kuffa	Killar	10, 226, 65, 67, 69	0.46	2300.00	1150/1150	-do-
Total ..						97.87	474478.00	237239/237239	

#### BHARMOUR BLOCK AND TEHSIL BHARMOUR

1.	BMR-CBA-620/79-80	Shri Jhonfi, Dhaogru alias Om Parkash.	Holi	Holi	697, 843, 2402, 2442.	0.14	1348.00	674/674	Remodelling
2.	BMR-CBA-621/79-80	Shri Haria alias s/o Shri Nathu.	Haro	Deol	Deol	865, 1619	0.26	1300.00	650/650
3.	BMR-CBA-622/79-80	Shri Jehri s/o late Shri Rangoli	Badai-Deeki	Greema	246/1, 246/2	0.32	1600.00	800/800	-do-

4. BMR-CBA-623/79-80	Shri Jagdish Chand s/o Shri Sorma.	Deoki	Khani	352/1, 384/1	0.24	1500.00	750/750	Rec.
5. BMR-CBA-624/79-80	Shri Haria s/o Shri Handu	Kuthar	Holi	217, 218, 219, 222, 223, 224.	0.24	1200.00	600/600	Rem.
6. BMR-CBA-625/79-80	Shri Prithu s/o late Shri Lakha	Mohan	Hadisar	75/1	0.55	3436.00	1718/1718	Rec. with retaining wall.
7. BMR-CBA-626/79-80	Shri Magaji Ram s/o late Tikli Shri Bisia.	Kugti		335, 371, 1643, 90, 226, 253, 252, 484, 641, 1195.	0.80	4000.00	2000/2000	R/wall, Rem.
8. BMR-CBA-628/79-80	Shri Parlahad s/o Shri Denju Serkao	Chobhia		43, 365	0.28	1400.00	700/700	R/wall, Rem support.
9. BMR-CBA-629/79-80	Shri Musaffer, Chhota s/o late Shri Dyal.	Goshan	Bharmour	396, 898, 1156, 1180, 1188, 1211, 1218, 1222, 1230.	0.40	2000.00	1000/1000	R/wall, Rem.
10. BMR-CBA-630/79-80	Shri Jalams/o late Shri Bakshi	Pansai	Ghuded	39/1	0.17	1062.00	531/531	Rec.
11. BMR-CBA-631/79-80	Shri Pritho s/o late Shri Chatu	Sirdi	Pulan	1131/1122	0.33	2062.00	1031/1031	Rec.
12. BMR-CBA-632/79-80	Shri Bachhala, Kirpoo Devi, Geram Singh, Chain Singh, d/o Shri Basheshar s/o Shri Digiti.	Pansai	Ghared	968, 1281	0.13	648.00	324/324	R/wall, Rem.
13. BMR-CBA-633/79-80	Shri Nanku s/o Shri Raven	Hadser	Hadser	79, 377	0.84	4200.00	2100/2100	R/walls Rem.
14. BMR-CBA-634/79-80	Shri Basakhi s/o late Shri Phandi.	Jhikli Kugti.	Kugti	97, 767	0.36	1800.00	900/900	Rem. 8 Rec.
15. BMR-CBA-635/79-80	Shri Bidhia s/o Shri Rama	Sambra	Ran - kothi.	1462, 1472, 1715, 1721.	0.26	1300.00	650/650	Rem.
16. BMR-CBA-636/79-80	Shri Jiddi s/o Shri Hoddi	Garola	Garola	1433/1, 1433/2	0.18	1080.00	540/540	Rec.
17. BMR-CBA-637/79-80	Shri Dino s/o Shri Chhin Ram	Ulansa	Ulansa	1251	0.23	1104.00	552/552	Rem.
18. BMR-CBA-638/79-80	Shri Moti Rams/o Shri Jouhri	Jagat	Jagat	1026	0.15	750.00	375/375	-do-
19. BMR-CBA-639/79-80	Shri Adalti and Bhani Ram s/o Shri Roomi.	Garola	Garola	771, 772, 773	0.75	3750.00	1875/1875	-do-
20. BMR-CBA-640/79-80	Shri Tibhu s/o Shri Jani	Sulakher	Ulansa	72/2, 63/1, 582/64/1	0.22	1370.00	685/685	Reclamation.
21. BMR-CBA-641/79-80	Shri Shivia s/o Shri Choudhary	Gudeth	Durgathi	79, 17, 20, 22, 73, 77	0.47	2350.00	1175/1175	Remodeling.
22. BMR-CBA-642/79-80	Shri Nanak Chand s/o Shri Shivia.	Guwar	Kuleth	94, 4156	0.28	1400.00	700/700	-do-
23. BMR-CBA-643/79-80	Shri Tani Ato s/o Shri Fainta	-do-	-do-	100, 1495,	0.20	1000.00	500/500	-do-
2. BMR-CBA-644/79-80	Shri Lachho s/o Shri Pinja	Kuthar	Holi	313, 378, 1053	0.40	2000.00	1000/1000	-do-
25. BMR-CBA-645/79-80	Shri Basakhi s/o Shri Mangata	Holli	Holli	2232, 2237, 2445	0.32	1600.00	800/800	-do-
26. BMR-CBA-646/79-80	Shri Jagat Ram s/o Shri Devia	Sulakhar	Ulansa	297, 355	0.52	2600.00	1300/1300	Remodeling.
27. BMR-CBA-647/79-80	Shri Ghunger s/o Shri Chhanga	Jagat	Jagat	758, 2051, 2053, 2066, 2076, 2079, 2254, 2278, 2281,	0.75	3700.00	1850/1850	-do-

1	2	3	4	5	6	7	8	9	10
					2300, 2307, 2311, 2315, 2333.				
28.	BMR-CBA-648/79-80	Shri Nanda s/o Shri Mehtu	Hat	Durgathi	9, 11, 43, 88, 89, 98	0.38	1900.00	950/950	Remodelling.
29.	BMR-CBA-649/79-80	Shri Jhalaili s/o late Shri Dayal.	Lahal	Khani	105, 106	0.16	800.00	400/400	R/walls. Rem.
30.	BMR-CBA-650/79-80	Shri Sataya Dev s/o Shri Bhandari.	Pranghala	Pranghala	132, 154, 164, 241, 244, 257, 259, 263, 280, 354, 379, 437, 466, 469, 475, 476, 505, 518.	0.48	2400.00	1200/1200	Retaining wall
31.	BMR-CBA-651/79-80	Shri Magharu and Thola s/o Late Shri Manak.	Mando	Chobhia	134/1, 135/2	0.22	1372.00	686/686	Rec.
32.	BMR-CBA-652/79-80	Shri Bhagat s/o Shri Dumsa	Badgram	Badgram	17, 22	0.20	1000.00	500/500	R/Walls.
33.	BMR-CBA-653/79-80	Shri Atma Rams/o Shri Tanni	Upar-Kugti.	Kugti	1562, 1568, 1630	0.62	3100.00	1550/1550	-do-
34.	BMR-CBA-654/79-80	Shri Arjun and Jaissi s/o Shri Ujjal.	Malkota	Bharmour	1429, 2756, 2053	0.68	3400.00	1700/1700	-do-
35.	BMR-CBA-655/79-80	Shri Sorma and Thobia s/o Shri Basakhi.	Pansai	Ghared	158, 154, 155	0.15	748.00	374/374	-do-
36.	BMR-CBA-656/79-80	Shri Ronki Ram s/o Shri Dumnu.	Hadsar	Hadsar	85, 147, 211, 218, 250, 397, 527, 573, 572.	0.25	1248.00	624/624	-do-
37.	BMR-CBA-657/79-80	Shri Jodha etc. s/o Shri Nandu	Sup	Polin	307, 831/306.	0.48	2400.00	1200/1200	-do-
38.	BMR-CBA-658/79-80	Shri Gidhu s/o Shri Bhunku	Upli-Kugti	Kugti	633, 1093, 1237, 1255, 1042.	0.64	3200.00	1600/1600	R/walls & Rem.
39.	BMR-CBA-659/79-80	Shri Jhoji s/o Shri Sohna	Mando	Chobhia	581/1	0.10	500.00	250/250	-do-
40.	BMR-CBA-660/79-80	Shri Panja s/o late Shri Chetu	Sirdi	Pulin-Palan.	346, 350, 354, 427, 429, 430, 435, 533, 713, 1136/1113.	0.82	4100.00	2050/2050	-do-
41.	BMR-CBA-661/79-80	Shri Gurdayan s/o Sagar	Chobhia	Chobhia	664/1, 1723, 1724, 1177.	0.28	1400.00	700/700	-do-
42.	BMR-CBA-662/79-80	Shri Shri Dhar and Laxman s/o Shri Mahantu.	Palda	Pranghala	12, 65, 259, 484, 445	0.24	1200.00	600/600	-do-
43.	BMR-CBA-663/79-80	Shri Dhuj s/o Shri Basakhi Ram.	Badei	Khanni	881/1	0.28	1748.00	874/874	Rec.
44.	BMR-CBA-664/79-80	Shri Gorakhs/o Shri Jassol	Chobhia	Chobhia	1854/1553/1	0.16	1000.00	500/500	-do-
45.	BMR-CBA-665/79-80	Shri Mahasu Ram s/o Shri Murli	Mandho	-do-	1025/920/5, 711/1	0.16	1000.00	500/500	-do-
46.	BMR-CBA-666/79-80	Shri Nanku and Dumnu s/o Shri Jiddy.	Sachuin	Bharmour	81, 1085, 1686	0.19	948.00	474/474	R/walls.
47.	BMR-CBA-667/79-80	Shri Butta s/o Shri Kharku	-do-	-do-	511, 1262, 1317, 407	0.30	1500.00	750/750	-do-
48.	BMR-CBA-668/79-80	Shri Punnu s/o Shri Baj	Lahal	Khanni	100, 113	0.29	1448.00	724/724	-do-
49.	BMR-CBA-669/79-80	Shri Hari Singh etc., Jagdish, Partapo and, Raghu s/o Shri Sorma.	Rajour	Pranghala.	616, 622	0.58	2900.00	1450/1450	-do-Rem.
50.	BMR-CBA-670/79-80	Shri Butta s/o Shri Chamaru	Pansaei	Gharer	2236/468/1	0.25	1560.00	780/780	Rec.



51. BMR-CBA-671/79-80	Shri Nathu Ram, Des Raj and Yog Singh s/o Shri Gerakh.	Pulin	Sirdhi	762, 762/1	0.46	2300.00	1150/1150	R/Walls & Rem.
52. BMR-CBA-672/79-80	Shri Ziza s/o Shri Dumnun	Pansaei	Gharer	1001, 1017, 1195, 1203, 1205, 1223.	0.46	2300.00	1150/1150	-do-
53. BMR-CBA-627/79-80	Shri Podhi alias Ram Saru s/o Shri Lala.	-do-	-do-	2318, 584	0.19	950.00	475/475	Rem.

Total

#### UNDER ANTYODAYA PROGRAMME

#### BHARMOUR BLOCK AND TEHSIL BHARMOUR

54. BMR-CBA-673/79-80	Smt. Chuchu w/o late Shri Kuknu	Kuthar	Badgram	346, 30, 32, 54, 59, 64, 131, 246.	0.31	1548.00	774/774	Remodeling.
55. BMR-CBA-674/79-80	Shri Dharub s/o Shri Prabhu	Tikli	Kugti	282, 443, 870, 993	0.36	1800.00	900/900	-do-
56. BMR-CBA-675/79-80	Shri Mahajan s/o Shri Sunsu	Ghared	Ghared	647, 248, 86, 49, 1254/1218.	0.11	548.00	274/274	-do-

Total 15.54 101928.00 50964/50964

#### LIST OF SOIL CONSERVATION SCHEMES APPROVED IN THE MEETING OF DISTRICT LAND DEVELOPMENT COMMITTEE CHAMBA HELD ON 26-10-1979

Sr.No.	Scheme No.	Name of beneficiary	Village	Panchayat circle	Nos./ldn. SF/MF.	Khasra No.	Area under planning	Total Estt. cost.	Amount of loan/subsidy	Type of work
1	2	3	4	5	6	7	8	9	10	11
				<i>Tehsil:</i>	<b>CHURAH</b>					
1.	CRH-CBA-118/79-80	Shri Gian Chand s/o Shri Mansa Ram.	Bihali	Sundla	General 112		0.50	2812.00	2250/562	Reclamation.
2.	CRH-CBA-119/79-80	Shri Dhiana s/o Shri Lakhu	Danoon	-do-	44 MF	1359/1249	0.29	1640.00	1097/543	-do-
3.	CRH-CBA-120/79-80	Shri Singhu s/o Shri Bhagi	Kindh	-do-	1 47 MF	573/548	0.32	1800.00	1350/450	-do-
4.	CRH-CBA-121/79-80	Smt. Janki w/o Shri Gopali	Siri	Bairagarh	—	868, 869, 870, 110, 866	0.40	1500.00	1000/500	Rem.
5.	CRH-CBA-122/79-80	Shri Tej Rams/o Shri Bhani	Aihani	Salooni	254 MF	796/1	0.56	3150.00	2100/1050	Rec.
6.	CRH-CBA-123/79-80	Shri Bansu Ram s/o Shri Sohnu.	Drakari	Drakari	5609 MF	1081, 1082, 1085, 10987, 1087, 1089, 1122, 1127, 1129, 1132, 1133/1, 1136, 1137/1, 1090, 1135.	0.30	1026.00	684/342	Rem.
7.	CRH-CBA-124/79-80	Shri Nihaloo s/o Shri Heera	Danoon	Sundla	37 MF	1365/1247	0.22	1236.00	824/412	Rec.
Total							2.59	13164.00	9305 3859	
				<i>Tehsil:</i>	<b>BHATTIYAT</b>					
	BHYT-CBA-351/79-80	Shri Lachu s/o Shri Bhangla	Purkhara	9059 MF.	Kahri	319/320	0.10	585.00	390/195	Rec.
2.	BHYT-CBA-352/79-80	Shri Singh s/o Shri Rashalu	Draman	8696 MF	Kunddi	85, 369	0.18	660.00	440/220	Rem.
3.	BHYT-CBA-353/79-80	Shri Rikhanu s/o Shri Shiv Dayal	Kahari	8586 SF	Kahari	96, 97, 106	0.24	884.00	663/221	-do-

नियम, विनियम प्रकृत, 17 जनवरी, 1981/27 गी, 1902

1	2	3	4	5	6	7	8	9	10	11
4.	BHYT-CBA-354/79-80	Shri Butta Ram s/o Shri Ram Dayal.	Dhanat	2691 SF	Thulell	564/1/6	1.20	6748.00	5061/1687	Rec.
5.	BHYT-CBA-355/79-80	Shri Daulat Ram s/o Kharku.	Chaltuni	7531 MF	Balera	1117/111	0.19	1080.00	720/360	-do-
6.	BHYT-CBA-356/79-80	Shri Rikhu Ram s/o Shri Hushnak.	Chaltuni	7558 MF	-do-	105, 106, 107, 108, 109, 110.	0.23	1300.00	867/433	Rem.
7.	BHYT-CBA-357/79-80	Shri Munshi Ram s/o Shri Sero	Kutplyana	7592 MF	-do-	351/1	0.06	338.00	226/112	Rec.
8.	BHYT-CBA-358/79-80	Shri Niku Ram s/o Shri Mandu Ram.	Dangadi	7855 MF.	Taragrah	156	0.14	788.00	526/262	-do-
9.	BHYT-CBA-359/79-80	Shri Chandu Ram s/o Shri Hardial.	Chaltooni	7530 MF.	Balera.	1126/284	0.18	1034.00	690/344	-do-
10.	BHYT-CBA-360/79-80	Shri Ronki & Kirpu s/o Shri Behmi.	Drakdu	8685 SF.	Kuddi	65,690, 691	0.32	1800.00	1350/450	-do-
11.	BHYT-CBA-361/79-80	Shri Rafal s/o Shri Bekhi.	Draman	8700 MF.	Kunhi	291 & 292/1/6	0.13	495.00	330/165	Rem.
12.	BHYT-CBA-362/79-80	Shri Chatro s/o Shri Mangnu Ram.	Chaltooni	7545 MF.	Chaltooni	769	0.29	1620.00	1080/540	Rec.
13.	BHYT-CBA-363/79-80	Shri Amar Singh s/o Shri Hoshiar Singh.	Kathet	6123 MF.	Kathet	2023 & 300/287/1	0.19	1058.00	796/352	-do-
14.	BHYT-CBA-364/79-80	Shri Sahbo s/o Shri Kihru.	Dangru	1065 MF.	Garnota	1066/956/1	0.28	1550.00	1034/516	-do-
15.	BHYT-CBA-365/79-80	Shri Ganeshu s/o Shri Nandu.	Cahhalada.	10947 MF.	Sihunta	1365/803	0.26	930.00	620/310	Rem.
16.	BHYT-CBA-366/79-80	Shri Narad s/o Shri Chhehka.	Gukhar	4360 MF.	Torkada	879/2	0.17	944.00	630/314	Rec.
Total							4.18	21814.00	15333/6481	

## Tehsil: CHAMBA

1.	SDR-CBA-339/79-80	Shri Saini s/o Shri Mohni.	Hujrad	157 SF.	Darada	355	0.33	1237.00	928/309	Remodeling.
2.	SDR-CBA-340/79-80	Shri Sardar, Devi Singh s/o Shri Dhain Singh.	Malog (Ghar-grota).	5999 MF.	Sillaghrat	203, 582/234.	0.37	1386.00	924/462	-do-
3.	SDR-CBA-350/79-80	Shri Ditu Ram s/o Late Shri Avtar.	Raj Nagar	319 MF.	Raj Nagar	1521/1, 1521/2, 1048/1.	0.34	1912.00	1275/637	Reclamation.
4.	SDR-CBA-351/79-80	Shri Kishan Chand s/o Shri Prem Lal.	Udaipur	1089 MF.	Udaipur	1444/573	0.24	1350.00	900/450	-do-
5.	SDR-CBA-352/79-80	Shri Nar Singh s/o Shri Lochu.	Bhagdota	3860 SF.	Pukhri	221, 313, 21, 25, 1599/116, 117, 120, 1594/106, 114, 1596/115.	0.62	2325.00	1745/580	Remodelling
6.	SDR-CBA-353/79-80	Shri Chatro s/o Shri Rashalu.	Sarol	2183 MF.	Sarol	804/648	0.32	1200.00	800/400	-do-

7.	SDR-CBA-354/79-80	Shri Dev Raj etc. s/o Shri Govind.	Bhanota	582 MF.	Bhanota	24,27, 924/ 79, 273	0.65	2436.00	1624/812	-do-
8.	SDR-CBA-355/79-80	Shri Parkash Chand s/o Shri Tapiya.	Tur.	2858 MF.	Brehi	983 984, 1006, 1109	0.29	1086.00	724/362	-do-
9.	SDR-CBA-356/79-80	Shri Piar Singh s/o Shri Sher Singh.	-do-	2877 MF.	-do-	1064, 1140, 1244/ 1142, 1150, 1253/ 1248.	0.10	374.00	250/124	-do-
10.	SDR-CBA-357/79-80	Shri Kaur s/o Shri Jiddi	Lakra	3867 MF.	Bandla	1856/1459	0.18	672.00	448/224	-do-
11.	SDR-CBA-358/79-80	Shri Piar Singh s/o Shri Roomi.	Chari	195 MF.	Mehla	225, 485, 208.	0.22	824.00	550/274	-do-
12.	SDR-CBA-359/79-80	Shri Bal Krishan s/o Shri Mohan Lal.	Fargri	3752 MF.	Bandla	280	0.17	636.00	424/212	-do-
13.	SDR-CBA-361/79-80	Shri Satgun s/o Shri Mahant.	Tur	2876 M.F.	Brehi	985/4, 1079, 1075, 1085, 1106, 1110.	0.24	900.00	600/300	-do-
14.	SDR-CBA-362/79-80	Shri Hem Raj & Smt. Mastu s/o & w/o Shri Paras Ram.	Sarol	2184 MF.	Haripur	635,698/ 648, 934/ 808.	0.58	3262.00	2175/1087	Reclamation.
Total ..							4.65	19600.00	13367/6233.00	

#### UNDER ANTODAYA PROGRAMME

##### Tehsil: CHAMBA

15.	SDR-CBA-347/79-80	Shri Chatro s/o Shri Jiyunu.	Botodi (Bhanota)	—	Bhanota	69,74.	0.40	2300.00	1150/1150	Reclamation.
16.	SDR-CBA-348/79-80	Shri Rikhnu s/o Shri Jagto.	Chahali (Dadri)	—	-do-	461	0.40	2250.00	1125/1125	-do-
17.	SDR-CBA-349/79-80	Shri Heeru s/o Shri Kripoo.	Kohlri	—	Kohlri	498	0.40	2250.00	1125/1125	-do-
Total ..							1.20	6800	3400/3400	

##### MEHLA BLOCK

18.	SDR-CBA-341/79-80	Shri Ranjhu s/o Shri Lohlu.	Tur	—	Brehi	985/6	0.07	392.00	196/196	Reclamation
19.	SDR-CBA-342/79-80	Shri Sunder s/o Shri Dhiana.	Rundega	—	Karain	551/1, 481, 482, 483, 600.	0.17	768.00	334/334	Rem. & Rec.
20.	SDR-CBA-343/79-80	Smt. Juthia, Parso wd/o & s/o Shri Jattu.	Khundel	—	Khundel	544, 406, 411, 416, 419, 432, 440.	0.26	972.00	486/486	Rem.
21.	SDR-CBA-344/79-80	Smt. Kala Wd/o Shri Chetu.	Joyti	—	Kuned	301, 301/1, 322, 323, 324, 339, 341, 349, 529, 615.	0.14	524.00	262/262	-do-
22.	SDR-CBA-345/79-80	Shri Adalti s/o Shri Tarlochan.	Baloth	—	Baloth	149	0.08	300.00	150/150	-do-

खाजाना, दिमाचन प्रवेश, 17 जनवरी, 1981/27 पृष्ठ, 1902

1	2	3	4	5	6	7	8	9	10	11
23.	SDR-CBA-346/79-80	Shri Mansha Ram Kakela s/o Shri Lochu.	---	Kekela	181/1, 223/1,	0.22	1236.00	618/618	Reclamation.	
24.	SDR-CBA-361/79-80	Shri Ranjha s/o Shri Singh.	---	Bakan	716, 732	0.07	262.00	131/131	Remodeling	
Total							1.01	4,454.00	2227/2227	

LIST OF SOIL CONSERVATION SCHEMES(GOVERNMENT LAND WORKS) APPROVED IN THE MEETING OF DISTRICT LAND DEVELOPMENT COMMITTEE, CHAMBA, DISTRICT CHAMBA (H.P.) HELD ON 26-10-1979

S.No.	Scheme No.	Name of Work	Village	Panchayat Circle	Tehsil	Block	Total Cost	Estt. Area to be Benefitted.
1	2	3	4	5	6	7	8	9
1.	SDR-CBA-337/79-80	Treatment of Hadan Nallah	Sahoo	Sahoo	Chamba	Chamba	30,000	5 Hect
2.	SDR-CBA-338/79-80	Treatment of Sanatha Nallah	Rajnagar	Rajnagar	Chamba	Chamba	24,500	3 "
3.	CRH-CBA-117/79-80	Water Storage-cum- Irrigation Tank.	Danoon	Sundla	Churah	Salooni	34,000	2.5 "
4.	BHYT-CBA-248/79-80	Flood Control-cum-Irrigation Scheme Jhanuie.	Jhanuie	Chowari	Bhattiyat	Chowari	12,700	3 "
5.	BHYT-CBA-249/79-80	Treatment of Dakal Khud	Trimuth	Gahar	Bhattiyat	Chowari	28,600	4 "
6.	BHYT-CBA-250/79-80	Nallah Bank Protection work Jhanuie	Jhanuie	Chowari	Bhattiyat	Chowari	30,700	4 "

Sd/-  
Chairman,  
District Land Development Committee,  
Chamba, District Chamba (H.P.).

# PUBLIC WORKS DEPARTMENT

## NOTIFICATIONS

Whereas it appears to the Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose\*, it is hereby declared that the land described in the specification below is required for the said\* purpose.

The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh P.W.D. is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh P.W.D., Hamirpur.

\*Water Supply Scheme Logwalti Bomson.

No. PW-SE-IPHCS-WS-LA-HMR-I/80-34686-89  
Sundernagar, the 17th November, 1980

### SPECIFICATION

District: HAMIRPUR Tehsil: HAMIRPUR

Village	Khasra No.	Area K.M.
1	2	3 4

SURAH 128/1 0 11

No. PW-SE-IPHCS-WS-LA-HMR-I/80-34670-73.  
Sundernagar, the 17th November, 1980

BARIN 2ND 1135 0 4

PHASE  
No. PW-SE-IPHCS-WS-LA-HMR-I/80-34690-93.  
Sundernagar, 17th November, 1980

JANDRU 162/1 0 9

No. PW-SE-IPHCS-WS-LA-HMR-I/80-34682-85  
Sundernagar, the 17th November, 1980

BARIN 1592/858 1 12

\*Providing Water Supply Scheme Paniala (I-II-III Phase).

No. PW-SE-IPHCS-WS-LA-HMR-I/80-34674-77  
Sundernagar, the 17th November, 1980

BAN 134/38/1 0 12

BUDHANA 111/1 0 11

430 0 4

1 7

Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose\*, it is hereby notified that land in the locality described below is likely to be acquired for the said\* purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of the said land in the locality may within

thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition H.P. P.W.D., Hamirpur.

\*Water Supply Scheme, Karara.

No. SE-SNR-WS-LA-I/80-34678-81.  
Sundernagar, the 17th November, 1980

### SPECIFICATION

District: HAMIRPUR Tehsil: HAMIRPUR

Village	Khasra No.	Area K. M.
TIKA KARARA	486	0 9
MAUZU BANI	485/1	0 4
BAJURI		
		0 13

\*Water Supply Scheme Logwalti Bomson (Storage Tank at Thana).

No. PW-SE-IPH-WS-LA-HMR-I/80-35524-27  
Sundernagar, the 27th November, 1980

THANA 11/1 0 2  
12/1 Less than marla.

R. K. SARKAR,  
Superintending Engineer, I&P.H.  
Circle, Sundernagar, Mandi.

Mandi, the 28th August, 1980

No. SEI-R-25-111/WA-IV/80-22785-88.—Whereas it appears to the Governor, Himachal Pradesh that land is likely to be required to be taken by the H. P. Government at the public expense for a public purpose, namely for the construction of Chabin Banander link road, it is hereby notified that land in locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor, H. P. is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other Acts required or permitted by that section.

Any person interested, who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication file an objection in writing before the Collector, Land Acquisition, H. P. P. W. D., Mandi.

### SPECIFICATION

District: MANDI Tehsil: JOGINDER NAGAR

Muhal	Khasra No.	Area Big. Bis. Bisw.
KHOLU	2778/1	0 4 15
		Khariater

S. M. BHAGCHANDANI,  
Superintending Engineer,  
1st Circle, Mandi.

## TOWN AND COUNTRY PLANNING ORGN.

### OFFICE ORDERS

Simla-171001, the 20th August, 1980

No. HIM/TP-82/80-3746-51.—In continuation of this office order No. HIM-TP-82/79-7523-28, dated 15-12-1979 and in exercise of the powers vested in me vide

Rule 1.17 of Himachal Pradesh Financial Rules, Vol. I, 1971 Hand Book No. 2, the State Town Planner will be Controlling Officer in respect of Major Head "284—Urban Development, A-General (b) Town & Regional Planning Orgn. (b) (i) Town & Country Planning Orgn. (Plan)" to watch the flow of expenditure and control of budget; and for the Collection of receipt in respect of major Head "084—Urban Development (a) (ii) Receipts from Town & Country Planning Orgn."

Assistant Town Planner, Divisional Town Planning Cell, Peo (Himachal Pradesh) to operate upon the following Head of Account and also declare him as Head of Office and Drawing and Disbursing Officer in respect of this Head of Account:—

"284—Urban Development.

A-General (b) Town and Regional Planning Orgn. (b)(i) Town and Country Planning Organisation (Plan)."

He will also be the Controlling Officer under SR 191 for the purpose of T. A. in respect of Class III and IV staff members working under him.

Simla-171001, the 27th August, 1980

No. HIM/TP-82 70-3976-90.—In exercise of the powers vested in me vide rule 1.26 of Himachal Pradesh Financial Rules, Vol. I, 1971, I hereby authorise the

H. C. MALHOTRA,

Director,

Town and Country Planning Orgn.

भाग 3—ग्रन्थिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फ़ाइनैन्शियल कमिशनर तथा कमिशनर आफ़ इन्कम टैक्स द्वारा ग्रन्थिसूचित आदेश इत्यादि

## FOOD AND SUPPLIES DEPARTMENT

### NOTIFICATIONS

Simla-2, the 4th September, 1980

No. EDS. A(3)-4/77-II. - In exercise of the powers conferred by proviso to Article 309 of the Constitution of India and all other powers enabling him in this behalf, the Governor of Himachal Pradesh in consultation with the Himachal Pradesh Public Service Commission is pleased to make Recruitment and Promotion Rules in respect of Class III (Ministerial) Service for the post of Legal Assistant in Himachal Pradesh Food and Supplies Department as in Annexure I.

2. These rules shall come into force with immediate effect.

### ANNEXURE I

#### RECRUITMENT AND PROMOTION RULES FOR THE POST OF LEGAL ASSISTANT IN THE DEPARTMENT OF FOOD AND SUPPLIES H. P. GOVERNMENT

1. Name of post Legal Assistant
2. Number of posts One.
3. Classification Class-III (Non-Gazetted)
4. Scale of pay Rs. 700-25-850/30-1000/40 1200.
5. Whether selection post or Non-Selection post. Non-selection.
6. Age for direct recruits Between 18 and 30 years.
7. Minimum educational and other qualifications required for direct recruits. *Essential*:—Law Graduate of a recognised University with 3 years experience of office work.  
*Desirable*:— Knowledge of customs, manners and dialects of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.
8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of Promotees. Age ..No.  
Qualifications ..Yes.
9. Period of probation, if any Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be reduced in writing.

10. Method of recruitment, whether by direct recruitment or by promotion, deputation/transfer and the percentage of vacancies to be filled by various methods. 100% by promotion failing which by direct recruitment.

11. In case of recruitment by promotion, deputation/transfer, grades from which promotion, deputation/transfer to be made. By promotion from amongst Assistant/Sr. Scale Stenographer/Statistical Assistant with 3 years Service in the grade.

(For purpose of promotion a combined seniority list of all eligible officials shall be prepared based on length of service in the grade).

12. If a D.P.C. exists, what is its composition. D.P.C. as constituted by Government from time to time.
13. Circumstances under which the H.P. Public Service Commission is to be consulted in making recruitment. As required under the law.

Foot-Notes.—1. A Candidate for appointment to any service must be—

- (a) a citizen of India, or
- (b) a subject of Nepal, or
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India/State Government.

A Candidate in whose case a certificate of eligibility is necessary may be admitted to an examination or interview conducted by the Himachal Pradesh Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the



Government of India/Government of Himachal Pradesh.

2. Upper-age limit for direct recruits will not be applicable to the candidates already in the service of the Government.
3. Upper-age limit is relaxable for Scheduled Castes/Tribes candidates and other categories of persons to the extent permissible under the general or special orders of the Himachal Pradesh Government.
4. Age-limit for direct recruits will be reckoned from the last date fixed for receipt of applications by the Commission.
5. Age and qualifications for direct recruits relaxable at the discretion of the Commission in the case of candidates otherwise well qualified.
6. Provisions of columns 10 and 11 are to be revised by the Government in consultation with the Himachal Pradesh Public Service Commission as and when the number of posts under column 2 are increased or decreased.
7. Where the Government is of the opinion that it is necessary or expedient to do so, it may, by order, for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or post.
8. Selection for appointment to these posts in the case of direct recruitment, shall be made on the basis of *viva voce* test, if the Commission so considers necessary or expedient by a written test, the standard/Syllabus etc. of which will be determined by the Commission or a practical test.
9. In all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including *ad hoc* one) in the feeder post, all persons senior to him in the respective category shall be deemed to be eligible for consideration and placed above the junior persons in the field of consideration:  
Provided that all incumbents to be considered for promotion/confirmation shall possess the minimum qualifying service of at least three years or that prescribed in the relevant recruitment and promotion rules for the post whichever is less:  
Provided further that where a person becomes ineligible to be considered for promotion/confirmation, on account of the requirement prescribed in the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion/confirmation.
10. The employees of all the public sector corporations and autonomous bodies who happened to the Government servants before absorption in public sector corporations/autonomous bodies at the time of initial constitution of such corporations/autonomous bodies, shall be allowed age-concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the public sector corporations/autonomous bodies who were/are subsequently appointed by such corporations/autonomous bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after the initial constitution of the public sector corporation/autonomous bodies.

11. The appointments to this Service shall be subject to orders regarding reservation in the Services for Scheduled Castes/Scheduled Tribes/Backward Classes issued by the Himachal Pradesh Government from time to time.

Sd/-  
Commissioner-cum-Secretary.

Simla-2, the 26th September, 1980

No. 1-15/69-Coop. (F/S)-Vol. II.—In exercise of the powers conferred by proviso of Article 309 of the Constitution of India and all other powers enabling him in this behalf the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Food and Supplies Department Class-III Service (Recruitment and Promotion and Certain Conditions of Service) Rules, 1973 notified vide Government Notification No. 1-15/69-Coop (F&S), dated the 11th December, 1973 namely:—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Food and Supplies Department Class-III (Recruitment, Promotion and Certain Conditions of Service (Third Amendment) Rules, 1980.

(2) These Rules shall be deemed in force w.e.f. 30-7-1979.

2. *Amendment of Appendix 'A'.*—The proviso notified vide notification of even number, dated 3-4-1976 is substituted as under:—

From amongst Class-IV Government servants possessing matric qualifications and having atleast 5 years service on the basis of combined seniority list of such eligible candidates.

By order,  
S. M. KANWAR,  
Commissioner-cum-Secretary.

AUTHORITATIVE ENGLISH TEXT OF NOTIFICATION NO. GAD (GI)-6(F)-43/79 DATED 6-2-1980  
PUBLISHED IN H.P. RAJPATRA (EXTRA-ORDINARY) DATED 29-2-1980.

### THE HIMACHAL PRADESH CINEMAS (REGULATION) RULES, 1979

[Rules made under section 9 of the Cinemas (Regulation) Act, 1979]  
PART I

#### INTRODUCTORY

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Cinemas (Regulation) Rules, 1979.

(ii) They shall come into force at once.

2. *Definitions.*— In these rules, unless there is anything repugnant in the subject or context,—

(i) 'Act' means the Himachal Pradesh Cinemas (Regulation) Act, 1979 (Act No. 4 of 1979).

(ii) 'auditorium' means the portion of the building occupied by the audience or spectators during a cinematograph exhibition;

(iii) 'approved film' means a film produced in India and approved by the Central Government, after considering the recommendation of the Film Advisory Board, Bombay, to be a scientific film, a film intended for educational purpose, a film dealing with news and current events or a documentary film;

(iv) 'Electric Inspector' means an inspector appointed by the Himachal Pradesh Government under section 36 of the India Electricity Act, 1910;

- (v) 'enclosure' means that portion of a place licensed under section 5 of the Act in which the cinematograph apparatus is erected;
- (vi) 'Executive Engineer', in relation to the licensing of any place for cinematograph exhibitions, means the officer holding charge of that division of the Public Works Department (Buildings and Roads Branch) in which the place is situated;
- (vii) 'Exit' includes an emergency exit and any entrance useable by the public as an exit;
- (viii) 'fire-resisting material' means—
  - (a) burnt brickwork, cement concrete and reinforced brickwork or cement concrete having a minimum cover of 25 mm,
  - (b) terra cotta blocks securely bonded, provided that no side or web thereof is less than 1.38 mm in thickness,
  - (c) stone, tiles, solid gypsum blocks, marble, iron, steel, copper, asbestos or zinc, or
  - (d) such other material as the Executive Engineer may approve;
- (ix) 'Government' means the Government of the State of Himachal Pradesh;
- (x) 'touring cinematograph' means a cinematograph apparatus which is so adopted and constructed so that it can be taken from place to place for the purpose of giving cinematograph exhibitions;
- (xi) 'touring cinematograph of the safety class' means a touring cinematograph in which an incandescent lamp is used for the Project or;
- (xii) 'Audlt' means a person who has completed his eighteenth year.

## PART II

### PROCEDURE IN GRANTING LICENCES

3. (1) Licences granted under section 5 of the Act shall be either for a period of three years or temporary.

(ii) A three years licence shall only be granted subject to the provisions of section 5 of the Act and in accordance with the provision of the rules in Part III in respect of a building permanently equipped for cinematograph exhibitions. It shall be valid for three years from the date of issue and shall be renewable on the application of the licensee:

Provided that in the case of a three years licence the place licensed under the Act shall be inspected annually by the Executive Engineer as well as by the Electrical Inspector to Himachal Pradesh Government on the payment of fee as prescribed in the schedule to rule 16.

(iii) Subject to the provisions of sub-rule (iv) and the rules in Part IV, a temporary licence may be granted in any town or village for exhibition by means of a touring cinematograph for an aggregate period not exceeding six months in one calendar year:

Provided that the licensing authority may extend the aggregate period of six months by such further period not exceeding six months in the same calendar year for sufficient reasons to be recorded in writing, as it may think fit:

Provided further that in calculating the aggregate period in respect of any town or village the period for which a licence to the same or other touring cinematograph has been granted within 8 km. of the limits of such town or village shall be taken into account.

(iv) No licence to a touring cinematograph shall be granted for a place where there is a permanent cinema:

Provided that such a licence may be granted for such a place for a period not exceeding in the aggregate three months on special occasions such as fairs and religious gatherings or to meet a particular need.

4. Licences, whether for a period of three years or temporary, shall be in Form 'A' annexed to these rules

and shall be subject to the conditions and restrictions set forth therein and to the provisions of these rules.

5. (i) Every application for the grant or renewal of a licence shall be in writing and shall be signed by the applicant.

(ii) Applications for the grant as distinct from the renewal of a three years licence shall be accompanied by—

- (a) full particulars regarding the ownership of, and all rights in, the premises and in the cinematograph apparatus to be used therein;
- (b) complete plans, elevations and sections in duplicate of the premises and all erections or buildings thereon drawn correctly to the scale of 3 mm in 25mm and showing the width of all stairways and the number of steps in each, the width of corridors, gangways and doorways, the height of the cinematograph and of the plant for the generation or conversion of electrical energy;
- (c) a site plan in duplicate on a separate sheet drawn to the scale of 0.5 mm to 300 mm showing the position of the premises in relation to any adjacent premises and to the public thoroughfares upon which the site of the premises abuts, and the arrangements proposed for the parking of motor cars and other vehicles;
- (d) specifications of the various materials proposed to be used in the construction of the building.

(iii) The cardinal points of the compass shall be shown on the plans and the plans shall be so coloured as to distinguish the materials used in the construction of the buildings.

(iv) Application under sub-rule (ii) of this rule shall be submitted to the licensing authority before any alterations necessary for the adaptation of the premises for cinematograph exhibition are taken in hand, or, in the case of a new building, before its construction is begun.

The work shall not be commenced unless the Executive Engineer certifies that the proposed construction, addition or alteration of the premises is in accordance with these rules and the building bye-laws of a local authority, if any.

(v) The licensing authority may require an applicant for a temporary licence to furnish such plans of the premises and such specifications as he may consider necessary.

6. An application for the renewal of a three years licence shall be made at least three months before the date of the expiry of the old licence:

Provided that if the application for renewal is made after the prescribed date the licensing authority may nevertheless renew the licence on payment of the fee chargeable for a new licence.

7. (i) If on an application for renewal of a licence the licensing authority does not for any reason, before the date of the expiry of the licence, either renew and return the licence or refuse to renew the same, he may grant a temporary permit in Form 'B' annexed to these rules.

(ii) Such temporary permit shall be subject to the conditions of the licence sought to be renewed and shall be valid for such period not exceeding two months as the licensing authority may direct:

Provided that the temporary permit shall cease to be valid and shall be surrendered to the licensing authority on the applicant receiving his licence duly renewed, or on his receiving an order refusing to renew the licence.

(iii) The temporary permit shall during the period of its validity be deemed to be licence for the purposes of these rules.

(iv) A fee of ten rupees shall be levied for the grant of such temporary permit, provided that if in the opinion

of the licensing authority the grant of this permit has not been necessitated by the negligence of the licensee, the fee or a portion of it may be remitted.

8. (i) The licensee shall be responsible for compliance with the provisions of these rules and with the conditions of his licence, for the maintenance of the licensed premises at all times and in all respects in conformity with the standards prescribed by these rules, and for taking all necessary measures, before any cinematograph exhibition is commenced, to ensure the safety of the public and his employees against fire and other accidents;

(ii) The licensee or some responsible person nominated by him in writing for the purpose shall be in general charge of the licensed premises and cinematograph during the whole time that any exhibition is in progress.

### Inspections

9. (i) Before granting or renewing a three years licence the licensing authority shall within a period of seven days of the receipt of the application of the licensee—

- (a) call upon the Executive Engineer to examine the structural features of the building and report within a period of one month whether the rules relating thereto have been duly complied with;
- (b) call upon the Electrical Inspector to examine the cinematograph and the electrical equipment to be used in the building and to report within a period of one month whether they comply with the requirements both of these rules and of the Indian Electricity Act, 1910, and of such of the rules made thereunder as are applicable, whether all reasonable precautions have been taken to protect spectators and employees from electric shock and to prevent the introduction of fire into the building through the use of the electric equipment, and whether the prescribed fire-extinguishing appliances have been provided, are in working order and are suitable for the purpose for which they are intended.

(ii) Defects revealed by such inspections shall be brought to the notice of the applicant or licensee and of the licensing authority, who may refuse to grant or renew the licence unless and until they are remedied to his satisfaction.

10. The licensing authority or any officer authorised by him in this behalf may at any time enter a place which he has reason to believe is being used or is intended to be used for the purposes of cinematograph exhibitions in order to satisfy himself that all the provisions of the Act, the rules framed thereunder and the conditions of the licence are being complied with.

11. (i) The Electric Inspector or any officer specially appointed to assist him in this behalf may at any time enter and inspect any place licensed under section 5 of the Act.

(ii) Defects revealed by such inspections shall be brought to the notice of the licensee and shall also be reported to the licensing authority.

12. (i) The licensing authority may, if he considers necessary by general or special order, authorise a medical officer to inspect the sanitary condition of any of the places which have been licensed by him under section 5 of the Act and such officers may visit all parts of the premises for purposes of inspection at any time.

(ii) Defects revealed by such inspections shall be brought to the notice of the licensee and also be reported to the licensing authority.

13. The licence and the plan and description, if any, attached thereto shall be produced on demand by the licensing authority or by any officer authorised by him or by these rules to enter a place licensed under section 5 of the Act.

### Alterations and Repairs

14. (i) No addition to or alteration of any portion of any premises licensed under section 5 of the Act, necessitated by fire, any other calamity or any other cause shall be made without the sanction of the licensing authority.

(ii) The licensee shall give notice in writing to the licensing authority of his intention to make any such addition or alteration, and such notice shall be accompanied by complete plans, elevations and sections, and specifications of the work proposed to be executed, drawn up in duplicate in the manner prescribed in rule 5, provided that in the case of premises for which a temporary licence has been granted such plans and specifications shall be furnished as the licensing authority may consider necessary.

(iii) The work shall not be commenced until the consent of the licensing authority has been obtained, and the licensing authority shall not give his consent unless the Executive Engineer certifies that the proposed addition or alteration is in accordance with these rules.

(iv) No addition to or alteration of any part of the cinematograph and its appurtenances or of the lighting or other electric arrangements shall be made without the sanction of the licensing authority.

The licensee shall give notice in writing to the licensing authority of his intention to make any such addition or alteration, and the licensing authority shall not give sanction thereto unless the Electric Inspector or an officer deputed by him certifies that the addition or alteration is in accordance with the provisions of these rules.

15. Notice in writing shall be given to the licensing authority of intention to carry out repairs or re-decorations necessitating the use of scaffolding, cradles or plant giving full details of the position thereof, if it is intended that the public shall be admitted while such scaffolding, cradles or plant are in position or in use. If the licensing authority shall so require, the premises shall be closed to the public until the work has been completed and the scaffolding, cradles and plant removed.

### Fees

16. The fees shown in the Schedule to these rules shall be charged for the grant and renewal of licences and for inspections.

These fees shall be deposited in a Government Treasury before applying for the grant and renewal of licences and for inspections.

### SCHEDULE TABLE OF FEES (See Rule 16)

	Rs.
1. For the grant of a three years licence	1500
2. For renewal of a three years licence	1000
3. For a temporary licence for each week or part of a week.	10:

Provided that in the case of commercial firms, concerns and institutions, for exhibiting films to propagate sale of their products, a fee of Rs. 100 per week or Rs. 20 per day as the case may be, shall be charged.

4. For the grant of a duplicate of a three year's licence.	20
5. For an inspection by the Executive Engineer for the grant or renewal of a licence—	200
(i) for the first inspection	200
(ii) for any subsequent inspection that may be necessary, such sum not exceeding Rs. 200 as the licensing authority may determine.	
6. For an inspection by the Electric Inspector for the grant or renewal of a three years licence—	
(i) for the first inspection	200

- (ii) for any subsequent inspection that may be necessary, such sum not exceeding Rs. 200/- as the licensing authority may determine.
7. For an inspection by the Electric Inspector of a touring cinematograph—
- (i) For the first inspection 100
- (ii) For any subsequent inspection that may be necessary such sum not exceeding Rs. 30 as the licensing authority may determine.
- (iii) For supplying duplicate copies of fitness certificates to touring talkies 2
8. (i) For an inspection made by the Executive Engineer or the Electric Inspector during the currency of a licence under the written orders of the licensing authority such sum not exceeding Rs. 200 as the licensing authority may determine.
- (ii) An application for the annual inspection referred to in the proviso to sub-rule (ii) of rule 3 shall be made by the licensee at least one month before the date the inspection becomes due after depositing the prescribed fee in a Government Treasury.

### PART III

#### RULES REGARDING BUILDINGS LICENSED FOR A PERIOD OF THREE YEARS FOR CINEMATOGRAPH EXHIBITIONS

17. In this part the term "the building" means a building in respect of which a three years licence has been or may be granted as provided in rule 18.

18. (i) A three years licence shall only be granted or renewed in respect of a building which as regards its location, structure, fittings, electrical and other equipment complies with the provisions of the rules in this part.

(ii) Notwithstanding anything in the preceding sub-rule a three years licence may be granted or renewed for such period as Government may determine in any particular building already licensed for cinematograph exhibition on the commencement of these rules.

19. Site.—(i) The Building:—

"(a) shall not be within a radius of—

(i) sixty metres, if it is sound proof,

(ii) two hundred metres, if it is not sound proof, from a place of worship, cremation ground, graveyard, cemetery, recognised educational institution, any residential institution attached to such educational institution, public hospital or an orphanage containing one hundred or more inmates and shall not contravene any provision of a town planning or development scheme sanctioned by the State Government under any law for the time being in force;

*Explanation.*—The radius of sixty metres or two hundred metres, as the case may be, shall be measured from the exit of the auditorium of the cinema building to the entrance of any one of the places referred to above.

(b) shall in no way offend against traffic laws, and;

(c) shall be a detached building:

Provided that the minimum distance it stands apart from other buildings shall not be less than 7 metres, and the surrounding space shall be unobstructed and shall be such as will enable the persons who are to be accommodated to disperse rapidly in the event of fire or panic and as will permit the approach of fire-engines and fire appliances:

Provided further that in the case of the building which accommodates more than one thousand persons the distance it stands apart from other buildings shall be such as the licensing authority may require by special order in writing, or shall abut

Rs.

upon and have frontage of adequate length to two or more public ways or open spaces from which there are at all times free means of exit. The public ways or open spaces shall be of such width as will enable the persons who are to be accommodated to disperse rapidly in the event of fire and as will permit the approach of fire engines and fire appliances:

Provided that one of them shall have a clear width of at least 10 meters including foot paths and shall be a thorough road:

Provided further that in the case of building which accommodate more than one thousand persons, the public ways or open spaces shall be of such width and the frontage thereto of such length as the licensing authority may require by special order in writing.

(ii) The frontage shall be considered of adequate length if they form about half of the total boundaries of the site of the building excluding recesses and projections:

Provided that if they are less than half, a licence shall not be granted without the previous sanction of Government.

(iii) The building shall not be constructed underneath or on top of any part of any other building without the special consent in writing of the licensing authority.

20. No portion of the building shall be occupied or used as a factory, workshop or for storage purposes or as a hotel or for residential purposes or for the preparation or sale of food or drink, except as the licensing authority may by written order permit.

21. *External walls.*—(i) The building shall have external or party walls of brick, mud, stone, corrugated iron or concrete.

(ii) Where the building is in close proximity to another building, it shall be separated therefrom by walls and structures of fire-resisting materials in a manner to be approved by the licensing authority and no openings in the walls or in any part of the building such as may be liable to communicate fire shall overlook the neighbouring building.

(iii) Any opening in the building overlooking an adjacent site upon which an inflammable structure is erected or upon which inflammable material is stored shall be protected to the satisfaction of the licensing authority.

22. *Structural requirements.*—(i) All floors, galleries, tiers, posts, columns, joints, trusses, stairways and landings in the building shall be of fire-resisting material.

(ii) Partition shall be made of fire-resisting material or of wood not less than 5 cm. thick and certified by the Executive Engineer to be hardwood.

(iii) The building shall have a roof. All ceilings and panelling shall be made of fire-resisting material or from compressed or synthetic material treated against flaming which has been certified by the Executive Engineer to be suitable for the purpose intended.

(iv) All floors including galleries, landings and corridors with their supports shall be capable of supporting a static load of 45 kg. per square 35 cm and, as in alternative loading, every step or landing shall be strong enough to support a point load of 136 kg. placed in any position.

(v) Where the first tier or gallery extends over the stalls, the height between the floor of the stalls and such tier or gallery shall not in any part be less than 3.040 m; the height between the floor of the highest part of the gallery and the lowest part of the ceiling over the same

shall not in any part be less than 3.650(3.50) m, the height between any tier and the tier or ceiling above it shall, in no case be less than 2.440 m.

**23. Drainage.**—(i) The building and the compound, if any, shall be adequately drained to the satisfaction of the licensing authority.

(ii) Except with the written consent of the licensing authority, the lowest floor of the building shall not be constructed at a lower level than that at which it can be effectively drained by gravity.

**24. Accommodation.**—(i) The total number of spectators accommodated in the building shall not exceed 20 per 9.290 sq. m. of the area available for sitting or standing or 20 per 12.402 sq.m. of the overall area of the floor space in the auditorium.

(ii) A notice showing the number of spectators permitted by the conditions of the licence to be admitted to any one part of the building shall be exhibited at a prominent place either at the entrance of the building or in the auditorium.

**25. Seating.**—(i) The seating in the building shall be arranged so that there is free access to exits.

(ii) The space assigned for each person shall not be less than 710 mm deep where backs are provided and not less than 610 mm deep where backs are not provided and not less than 510 mm wide where arms are provided and 455 mm where arms are not provided.

**Note.** 1.—The seats in each alternate row shall be staggered in a manner that the line of vision is not obstructed and that the angle of vision does not exceed 35°.

**Note.** 2.—The slope of the floor of the auditorium shall have average gradient of 25 mm in 455 mm except in case of cinemas built before 1st February, 1958.

**Note.** 3.—In the case of cinemas with dual inclined slopes in the floors of the auditorium, the rear slope shall be 25 mm in 455 mm while the front incline shall be 25 mm in 610 mm.

(iii) The rows of seats shall be so arranged that there is a clear space of not less than 300 mm between the back of one seat and the foremost portion of the seat arm or frame behind, measured between perpendicular.

(iv) All seats, except those in private boxes, shall be securely fixed to the floor, and if battened together or made in links, the complete links shall be firmly attached to the floor.

(v) The minimum distance between the cinematograph screen and the front row of seats shall be:

(i) equal to the width of the screen subject to a minimum of 7.6 m in case of cinemas equipped with screens upto 9 m wide; and

(ii) equal to 3/4th of the width of the screen subject to a minimum of 9 m in case of cinemas fitted with screens exceeding 9 m in width.

**Note.**—The space between the screen and the front row of seats shall be left vacant according to the width of the screen installed irrespective of the consideration whether the whole or only a part of the screen is made use of.

(vi) The lower edge of the picture as projected on the cinematograph screen shall be at a height varying from 1.67 m to 2.130 m above the level of the floor of the auditorium at the front row of seats depending upon the length of the auditorium.

(vii) (a) Every row of seats in the auditorium shall be assigned a specific distinguishing mark such as 'A', 'B', 'C' and so on and every seat in each row shall be serially numbered. The serial number shall be inscribed at a prominent place on the seat in such a manner that

the seat can be easily located.

(b) The licensee shall ensure that on every ticket which any booking clerk issues for any cinematograph exhibition a separate seat number is marked.

The purchaser of the ticket shall be entitled to occupy the seat bearing the serial number marked on the ticket. The serial number of the seat shall be marked on that portion of the ticket which is to be retained by the purchaser so that it can be produced for inspection in case of any doubt or on demand.

**26. Gangway.**—(i) Gangways not less than 1.115 m wide shall be provided in the building as follows:—

(a) Down each side of the auditorium.

(b) Down the centre of the seating accommodation at intervals of not more than 25 feet.

(c) Parallel to the line of the seating so as to provide direct access to exit; provided that not more than one gangway for every 10 rows shall be required.

(ii) All gangways, exits and the treads of steps and stairways shall be maintained with non-slippery surfaces.

(iii) Druggets, matting and floor covering, if provided in gangways, shall be securely fastened to the floors.

(iv) The exits and the gangways, and passages leading to exits shall be kept clear of all obstructions other than rope barriers provided in accordance with sub-rule (vi). On no account shall extra seats be placed in the gangways or spectators be allowed to stand in the gangways at the time of performances in such a way as to block or effectively reduce their width.

(v) If steps have to be inserted in a gangway or passages there shall be not less than 3 steps at any one place. The treads shall not be less than 380 mm wide and shall be of uniform width and height.

(vi) Rope barriers in gangways or elsewhere shall be fitted with clips or fastenings which will part in the centre on slight pressure and shall not trail on the floor.

(vii) Guard rails not less than 1.065 m above floor level shall be provided on the parapet at the foot of gangways in galleries where the incline of the gangway exceeds 15 degrees.

**27. Stairways.**—(i) There shall be at least 2 stairways each not less than 1.200 m wide to provide access to any gallery or upper floor in the building which is intended for use by the public.

(ii) The treads and risers on each flight of stairs shall be of uniform width and height. The treads shall not be less than 280 mm wide and the risers shall not be more than 175 mm high.

(iii) There shall be no winders.

(iv) A continuous hand rail shall be fitted to each side of stairways.

(v) No stairways shall discharge into a passage or corridor against or across the direction of exit.

**28. Exits.**—(i) Every public portion of the building shall be provided with an adequate number of clearly indicated exits placed in such position and so maintained as to afford the audience ample means of safe and speedy egress.

(ii) In the auditorium there shall be at least one exit from every tier, floor or gallery for every 100 persons accommodated or part thereof:

Provided that from every upper floor or gallery there shall be not less than two exits:

Provided further that an exit on or by way of a stage or platform shall not be reckoned as one of the exits required by this rule.

(iii) Every exit from the auditorium shall provide a clear opening space of not less than 2.130 mts. high and 1.520 mts. wide.

(iv) Exits from the auditorium shall be suitably spaced along with both sides and along the back thereof, and shall deliver into two or more different thoroughfares or open spaces from which there are at all times free means of rapid dispersal.

(v) Every passage or corridor leading from an exit in the auditorium to a final space of exit from the building shall be of such width as will, in the opinion of the licensing authority, enable the persons who are likely to use it in an emergency to leave the building without danger of crowding or congestion. At no point shall any such passage or corridor be less than 1.520 mts. wide, and it shall not diminish in width in the direction of the final place to exit.

(vi) The combined width of the final places of exits from the building shall be such that there are at least 1.520 mts. of exit width for every 100 persons that can be accommodated in the building.

(vii) All exit doors shall open outwards and shall be so fitted that when opened they do not obstruct any gangway, passage, corridor, stairway or landing.

(viii) All exit doors and through which the public have to pass on the way to the open air shall be available for exit during the whole time that the public are in the building and during such time shall not be locked or bolted.

(ix) All exits from the auditorium and all doors or openings (other than the main entrance) intended for egress from the building shall be clearly indicated by the word "EXIT" in block letters, which shall not be less than 17.5 mm high and shall be so displayed as to be clearly visible in the light as well as in the dark.

(x) All other doors or openings shall be so constructed as to be clearly distinguishable from exits. They may be indicated by the words "No thoroughfare" as illustrated below, but notices bearing the words "No Exit" shall not be used in any part of the building:

#### "NO THOROUGHFARE"

29. *Pay boxes, Check boxes, etc.*—Pay boxes, check boxes and attendants seats shall be fixed in such positions in the building that they will not obstruct means of exit and any mirror, picture, notices or advertisements shall be attached to or hung upon the walls in position in which they will not be likely to cause obstruction to exits and shall be fixed flat against the wall or kept clear of the headline, i.e. 2.30 mts. above the floor.

30. *Cloak room accommodation.*—(i) Provision shall not be made in the corridors, passages and stairways of the building for hanging hats and cloaks.

(ii) Where cloak rooms are provided they shall be so situated that the persons using them will not interfere with the free use of any exit.

31. *Ventilation.*—(i) The building shall be provided with efficient means of ventilation direct to the open air.

(ii) Unless the auditorium is air-conditioned the means of ventilation shall take the form of natural ventilation and power-driven exhaust fans suitably located and of adequate size for the purpose intended.

(iii) Where natural ventilation is provided by windows or skylights which have to be darkened or obscured, free permanent top ventilation shall be arranged by means of ridge or ceiling ventilators. The clear opening of such ventilators shall not be less than 930 sq. cm. for every 10 persons that can be accommodated.

(iv) There shall be a time gap of not less than twenty minutes between two cinematograph shows. The duration of an interval in a cinematograph show shall be not

less than ten minutes. During the gap between two shows and the interval in a show all doors and ventilators shall be kept wide open and all exhaust and other fans will be kept at top speed so that the whole of the auditorium shall be flushed with air completely.

32. *Sanitary provisions.*—(i) The building and compound, if any, shall be kept free from effluvia arising from drain, privy or other nuisance.

(ii) Separate latrines and urinals shall be provided for each sex. The latrines shall be cleaned or flushed immediately before and after each performance and shall be washed with phenyle or other sanitary fluid at least twice a day.

33. *Parking arrangements.*—(i) Such arrangements shall be made for the parking of motor cars and other vehicles in the vicinity of the building as the licensing authority may require.

(ii) No vehicle shall be parked or allowed to be parked in such a way as to obstruct exits or impede the rapid dispersal of the persons accommodated in the building in the event of fire or panic.

34. *Fire precautions.*—(i) Fire extinguishing appliances suitable to the character of the building and of a pattern, class and capacity approved by the licensing authority shall be provided as prescribed by him. These appliances shall be disposed to his satisfaction so as to be readily available for use in case of fire in any part of the building.

(ii) There shall always be sufficient means of dealing with fire readily available within the enclosure, and these shall include a damp blanket, a portable chemical fire-extinguisher and two buckets of dry sand.

(iii) All fire-extinguishing appliances shall at all times be maintained in proper working order, and available for instant use, and all chemical fire-extinguishers shall be capable of withstanding a pressure of not less than 113 kg. for 6.4 sq. cm.

(iv) During an exhibition all fire-extinguishing appliances shall be in charge of some person or persons specially nominated for this purpose. Such persons need not be employed exclusively in looking after the fire appliances, but they must not be given any other work during an exhibition which would take them away from the building or otherwise prevent them from being immediately available in case of danger or alarm of fire.

(v) The building shall be provided with an efficient lightning conductor.

#### ENCLOSURE, CINEMATOGRAPH, LIGHTING, ETC.

35. *Enclosure.*—The cinematograph apparatus shall be placed in an enclosure of substantial construction, the dimensions of which shall be such that when the cinematograph apparatus and other necessary fittings are installed therein there is sufficient space to allow the operator or operators to work freely.

36. (i) The enclosure shall be placed outside the auditorium.

(ii) It shall be entirely self-contained and shall house only the cinematograph apparatus, fire appliances and such controlling apparatus as must of necessity be placed therein.

37. There shall be only one entrance to the enclosure which shall not communicate with any part of the building to which the public have access.

38. The enclosure and any fittings covering openings thereto shall be made of fire-resisting material.

39. Proper and efficient means of ventilation shall be provided in the enclosure in such a manner that there



shall be no communication with any part of the building to which the public is admitted through the medium of such means of ventilation.

40. The number of openings in the front of the enclosure shall not exceed two projection openings, each not more than 232 sq. cm. in area and one inspection opening not more than 232 sq. cm. in area for each cinematograph apparatus or projector. All such openings shall be equipped with screens so operated that only one projection opening and one inspection opening can remain open at any one time and that all openings can be automatically closed from convenient positions both from inside and outside the enclosure.

41. No non-synchronous machine shall be placed in or operated from the enclosure without the written permission of the licensing authority.

42. No person other than a qualified operator employed by the licensee and holding a certificate granted by the Electric Inspector or an apprentice duly authorised by the licensee under rule 89 shall be allowed to enter or be in the enclosure while an exhibition is in progress.

43. Where a manager or a proprietor holds an operator's certificate, a second qualified operator must be engaged who shall remain on duty in the enclosure during the whole period of exhibition.

44. No inflammable article shall unnecessarily be taken into or allowed to remain in the enclosure, no smoking shall at any time be permitted within the enclosure, and no naked light shall be used therein.

#### PROJECTOR, APPARATUS AND FILMS

45. Cinematograph Projectors shall be placed on firm supports constructed of fire-resisting material and shall be provided with a metal shutter which can be readily inserted between the source of light and the film gate. This shutter shall immediately be dropped in the event of an accident to the cinematograph apparatus or stoppage of the film and shall only be raised when the film is in motion for the purpose of projection.

46. The film-gate shall be of massive construction, and shall be provided with ample heat-radiating surface. The passage for the film shall be sufficiently narrow to prevent flame travelling upwards or downwards from the light opening.

47. Cinematograph Projectors shall be fitted with two metal film-boxes of substantial construction, to and from which the films shall be made to travel. The film boxes shall be made to close in such a manner, and shall be fitted with film-slots so constructed as to prevent the passage of flame into the interior of the box.

48. Film spools shall be driven by means of chains, gears or belts of fire-resisting material and films shall be wound thereon so that the wound film shall not at any time reach or project beyond the edges of the flanges of the film spool.

49. The rewinding of films shall not be carried on in the enclosure while an exhibition is in progress.

50. During an exhibition all films when not in use shall be kept in closed metal boxes.

51. Not more than 90 kg. of inflammable cinematograph film shall be stored in the premises to which this licence relates, unless a specific licence has been obtained from the Chief Inspector of Explosives in India as required by the Cinematograph Film Rules, 1948.

#### WINDING ROOM

52. (1) A separate room shall be provided for the rewinding of films which shall be constructed through out of the fire resisting materials.

(2) All fittings and fixtures in the winding room shall be constructed of fire-resisting materials and the entrance

shall be provided with self-closing close-fitting door and shall not communicate directly with the enclosure, the auditorium or any part of the building to which the public are admitted.

#### LIGHTING AND ELECTRICAL INSTALLATION

53. No illuminant other than electric light shall be used in the building.

54. (i) Provision shall be made for adequate illumination of the auditorium and the exits therefrom to the outside of the building including any passage, corridors, landings and stairways, the notices indicating the position of exits, and all parts of the building to which the public are admitted.

(ii) During the whole time the public are present in the building the lighting for purposes other than the illumination of the auditorium shall be in operation sufficiently to enable the public to see clearly the way out.

55. The auditorium shall be provided with two independent lighting circuits taken from two different and independent sources of supply in the building or place licensed for exhibition. One circuit (hereinafter referred to as the general lighting circuit) which must not enter the enclosure, may, include all exist signs and the lighting of all parts of the building to which the public are admitted and shall be connected to the main source of supply in the building and the other circuit (hereinafter referred to as the emergency lighting circuit) shall be used exclusively for the lighting of the auditorium and shall be controlled from a convenient position within the enclosure and shall be connected to the second independent source of supply, as distinct from that used for the general lighting circuit. Before the commencement of each exhibition, it shall be ascertained by the operator, that the independent source of supply provided for the emergency circuit is in satisfactory order and the supply from the same is available for immediate use in case of emergency.

56. (i) The emergency lighting circuit shall supply not less than three lamps arranged so as to avoid, as far as possible, a single fault extinguishing all the lamps.

(ii) Two-way control from both within and without the enclosure may be adopted for the emergency lighting circuit provided that the control from outside the enclosure is suitably indicated, is not mounted on the same board as any of the general lighting circuits, and is placed in such a position as to be readily handled by a member of the cinema staff but inaccessible to the public.

57. (i) A separate and distinct circuit shall be provided for the supply to cinematograph lamps. Such circuit shall be controlled by a suitable main switch and fuse required in pursuance of rule 59, and there shall be in addition for each lamp a totally enclosed double pole iron clad switch and fuse placed in a convenient position within the enclosure.

(ii) When the cinematograph lamp is working the electrical pressure across the terminals of the double pole switch shall not exceed 110 volts.

58. A separate and distinct circuit shall be provided for the supply of energy to fans.

59. (i) Separate main switches and main cut-outs shall be provided as near as possible to the source of supply in the building for the general emergency, projector and enclosure circuits and for all fan circuits, provided that the emergency lighting main switch and cut-outs are suitably indicated and are not mounted on the same boards as any other control.

(ii) All main switches, meters and other electrical apparatus installed near the source of supply in the building shall be housed in a separate enclosure used exclusively for the purpose and inaccessible to the public.

60. Except as otherwise specially provided in these rules, the electrical installation shall be in accordance with such specifications as may from time to time be prescribed by Government by notification in the Official Gazette.

61. Wiring within the enclosure and for the emergency lighting circuit shall be in screwed piping except that where flexible cable are necessary the flexible portion shall be either steel armoured or enclosed in suitable flexible metallic steel tubing.

(ii) There shall be no unnecessary slack electric cable within the enclosure and all cable runs shall be as short and direct as possible.

62. All switches, cut-outs, resistances, lights, fans and all other electrical appliances in the enclosure shall be mounted on basis of fire resisting materials and where practicable shall have strong metallic covers enclosing all live parts. Switch covers shall be arranged in such a way that they cannot be opened unless the switch is in the "off" position.

63. All metal work supporting or protecting electric supply lines shall be efficiently earthed by two separate and distinct connections with the earth. The resistance of the connection with the earth shall not exceed one ohm, and all earthing leads shall run in such a manner that the course of each may be readily traced. Where earthing leads pass through walls or are laid in floors they shall be suitably protected.

64. Resistances shall be made entirely of fire-resisting material and shall be so constructed and maintained that no coil or other parts shall at any time become unduly heated, i.e., they shall not become so heated that a piece of paper placed in contact with any part of the resistance would readily ignite. All resistances, with the exception of a resistance for regulating purposes, shall be placed outside the enclosure and in a part of the building to which the public are not admitted.

65. All suspended fittings or apparatus other than small single lamp pendants fitted at a height of less than 3040 mm above the floor level of parts of building to which the public are admitted shall be provided with satisfactory means of suspension independent of the conductors.

66. Plant for the generation of electrical energy or for cooling purposes, oil engines or other prime movers, main circuit transformers, convertors or rectifiers shall be placed in a compartment or compartments, the construction and location of which shall be subject to the approval of the licensing authority.

67. Electric accumulators, unless installed in rooms or compartments specially reserved therefor, shall be completely enclosed together with the terminals in substantial castings constructed of, or in cells or containers of celluloid shall not be installed, stored or used.

68. Electric heaters or radiators shall not be used in any part of the building to which the public are admitted except with the consent of the licensing authority and subject to such conditions as he may prescribe.

69. A framed diagram or schedule indicating clearly the arrangement of all circuits and sub-circuits of the electrical installation, the position of the distribution boards and the sizes of cables shall be displayed in the building and shall be kept up-to-date.

70. The electrical installation shall be in the charge of a competent electrician during the whole of the time the public are in the building.

71. Attendants and all members of the staff employed in the building during an exhibition shall carry electric torches for use in emergency in the event of failure of the lighting.

## SPECIAL RULES FOR EXHIBITIONS BY MEANS OF TOURING CINEMATOGRAPHS IN PLACES LICENSED TEMPORARILY

72. The rules in this part shall apply to exhibitions given by means of touring cinematographs in places licensed temporarily.

73. The cinematographs apparatus shall have been certified by the Electric Inspector, within a year of the date on which the exhibition is given to be useable without danger to the public:

Provided that in the event of shifting of the cinematograph from one place to another place, an exhibition shall not be permissible unless the cinematograph including the electrical installations after re-inspection at the new place, has been certified by the Electrical Inspector, to conform to the Indian Electricity Rules for the time being in force.

74. (i) Touring cinematographs used for giving public exhibition shall be brought for the purpose of annual inspection by the Electrical Inspector to a town where a licence under the Electricity Act, 1910 has been granted.

(ii) If after such inspection the Electric Inspector is satisfied that a touring cinematograph is useable without danger to the public he shall issue a certificate to this effect.

75. The cinematographs apparatus shall be housed in a fire-proof enclosure:

Provided that if the cinematograph apparatus is certified by the Electric Inspector to be a touring cinematograph of the safety class no fire proof enclosure need be provided, but a clear space of 1.82 mts. (hereinafter referred to as the "reserved space") shall be railed off all around the cinematograph apparatus.

76. In the case of exhibitions given in tent or booth or in any shelter or structure composed of, or covered with, combustible materials or of a movable character the cinematograph apparatus shall be operated from outside such tent, booth, shelter or structure and shall be placed, in accordance with the provisions of rule 75, at a distance of at least 1.82 mts. therefrom.

77. No person other than a qualified operator, employed by the licensee and holding a certificate granted by the Electric Inspector or an apprentice duly authorised by the licensee under rule 89 shall be allowed to enter or to be in the enclosure or the "reserved space" while an exhibition is in progress.

78. No inflammable article shall unnecessarily be taken into, or allowed to remain in the enclosure or, "reserved space", no smoking shall be permitted therein and no naked light shall be used therein.

79. No drapery and no unprotected combustible materials other than such materials as may compose the floor shall be within 1.820 mts. of the cinematograph apparatus.

80. The following fire appliances shall be provided, viz. a bucket of sand, two buckets of water, a damp blanket and one portable chemical fire extinguisher of pattern, class and capacity approved by the licensing authority and such other appliances as the licensing authority may prescribe. They shall be so disposed as to be readily available for use in case of fire within the enclosure.

81. All films not in use shall be kept in securely closed fire-resisting receptacles.

82. Adequate means of exit shall be provided as prescribed by the licensing authority.

83. Without prejudice to the generality of the foregoing rule, no tent, booth or similar structure shall be

sed for the purpose of a cinematograph exhibition if it is enclosed by a wall or walls which do not permit of adequate means of egress and which are erected within 145 mts. of such tent, booth or similar structure.

84. The seating shall be so arranged as not to interfere with free access to exits, and both the exits and passages and gangways leading to them shall throughout the performance be kept clear of all obstacles.

84-A. A place licensed temporarily for exhibitions by means of touring cinematographs—

- (a) shall not be within a radius of 200 m. from:—
  - (i) a place of worship, a cremation ground, a graveyard, a cemetery; or
  - (ii) a recognised educational institution, such as a college, a high school or girls' school, or any residential institution attached to such educational institution; or
  - (iii) a public hospital with a large patient ward; or
  - (iv) an orphanage containing one hundred or more inmates; or
  - (v) a thickly populated residential area which is either exclusively residential or reserved or used generally for residential as distinguished from business purposes; and
- (b) shall in no way offend against traffic laws.

#### PART V

#### OPERATORS AND APPRENTICES

85. (i) During an exhibition the enclosure shall be in-charge of a qualified operator of not less than 18 years of age who holds a certificate granted by the Electric Inspector to the effect that he is competent to handle and operate a cinematograph.

(ii) An operator shall not be granted a certificate unless he—

- (a) possesses a working knowledge of cinematograph machines and a particular technical knowledge of the type of machine which he is at the time employed operating;
- (b) is thoroughly conversant with the rules relating to cinematograph exhibitions and precautions against fire;
- (c) is acquainted with the most speedy and effective methods of dealing with fire;
- (d) possesses a fair knowledge of the elements of electric power, direct and alternating current, voltage, amperage, etc; and
- (e) is proficient in the handling, winding, repairing and efficient cleaning of films.

(iii) The Electric Inspector may, for reasons to be recorded in writing, withdraw a certificate granted by him.

(iv) In regard to the grant and withdrawal of certificate, the Electric Inspector shall act under the general supervision of the licensing authority.

(v) The fee for grant of a certificate shall be Rs. 5 but a duplicate copy may be granted on payment of Rs. 2.

86. The operator in charge shall be present in the enclosure and shall devote his whole attention to the cinematograph during the whole time that it is being operated. He shall see that the provisions of the rule 90 and of rules 42, 44, 49 or 77, 78, 79, as the case may be, are strictly observed.

87. (i) Before the commencement of an exhibition, the operator in charge shall satisfy himself that all cables, leads, connections and resistance as also the fire extinguishing appliances in the enclosure are in proper working order.

(ii) The resistances, if not under constant observation, shall be inspected at least once during each performance. If any fault is detected, current shall be immediately

switched off and shall remain switched off until the fault is removed.

88. The operator in charge shall not allow the film to travel through the machine at a greater speed than 30m. a minute.

89. An apprentice duly authorised by the licensee may be allowed within the enclosure. Such apprentice shall be not less than 16 years of age and shall not be permitted to operate the cinematograph except in the presence of the operator in charge.

90. No person shall operate a cinematograph or be within the enclosure while under the influence of liquor or any other intoxicant.

91. Every person who holds a licence under section 5 of the Act shall furnish the licensing authority with a list of operators employed by him and whenever any operator is engaged by him, he shall furnish the licensing authority and the Electric Inspector with particulars regarding him before he is allowed to commence work.

91-A. The Himachal Pradesh Cinematograph Rules, 1955, as applicable to the areas comprising in Himachal Pradesh immediately before 1st November, 1966 and the Punjab Cinemas (Regulation) Rules, 1952, as are applicable to the areas transferred to Himachal Pradesh, as a result of re-organisation of Punjab State after 1-11-1966, are hereby repealed.

#### PART VI

#### APPEAL UNDER SUB-SECTION (3) OF SECTION 5 OF THE ACT

92. An appeal under sub-section (3) of section 5 of the Act shall be preferred by the aggrieved person to the State Government in the General Administration Department within 30 days of the communication to him of the decision of the licensing authority.

#### PART VII

#### MISCELLANEOUS CONDITIONS

93. The licensee shall comply with all the rules made under the Act.

94. In addition to such directions as may, from time to time, be issued under sub-section (4) of section 5 of the Act and the condition specified in the foregoing rule, the license whether for a period of three years or temporary, shall be subject to the conditions set forth hereunder:—

- (i) No fire work shall be used as an adjunct to cinematograph exhibition.
- (ii) Save as the licensing authority may by written order permit, no loud-speaker, gramophone, band drum, bell, horn, whistle, siren or musical instrument of any kind shall be employed or allowed to be used as an advertisement or to attract attention in or outside the licensed place, nor shall any device be employed which is designed or serves to deliver the entertainment to persons outside the licensed place.
- (iii) No poster, advertisement, sketch, synopsis, or programme of a film shall be displayed, sold or supplied either in or any where outside the licensed place which is likely to be injurious to morality or to encourage or incite to crime or to lead to disorder or to offend the feelings of any section of the public or which contains offensive representations of living persons.
- (iv) At least 48 hours before any film is exhibited the licensee shall supply a synopsis of the contents of the film to the District Magistrate of the district in which the place licensed under the Act situated and the synopsis shall indicate with title page whether the film has been granted 'U' or 'A' certificate:

## SCHEDULE OF CONDITIONS

Provided that the District Magistrate may for reasons to be recorded in writing relax the provision of the sub-rule and accept in lieu of a proper synopsis, a hand bill giving a brief account of the film.

- (v) The licensee shall not, without the permission of the licensing authority, assign, sublet, or otherwise transfer the licence or the licensed place or the cinematograph, nor shall the licensee, without permission as aforesaid, allow any other person during the period of currency of the licence to exhibit the films in the licensed place.
- (vi) If any accident occurs in a licensed place and such accident results in personal injury or is likely to have resulted in personal injury or loss of life the licensee shall give notice in writing of such accident to the licensing authority and the Electric Inspector to the Government of Himachal Pradesh, within 24 hours of its occurrence; and if the accident results in loss of life, the notice shall be given by an express telegram to be confirmed in writing within 24 hours of the occurrence of the accident. Pending an inspection or investigation by the Electric Inspector of Himachal Pradesh Government or any officer specially appointed to assist him in this behalf, the licensee shall not interfere with or remove from the scene of the accident any electrical or mechanical apparatus, wiring, furnishing etc. which may have been involved in the accident.
- (vii) The licensed premises shall not be used for any purpose other than an exhibition by means of cinematograph, without the prior permission, in writing, of the District Magistrate.
- (viii) The licensee shall not display, or cause to be displayed any photograph, picture or poster which depicts or represents or purports to represent a scene or shot which has been excised from any film under the orders of the Central Board of Film Censors or the Central Government.
- (ix) No person below the age of 18 years shall be admitted to any show commencing before 3 P.M. except on Sunday, a holiday notified by the Himachal Pradesh Government or any other day on which educational institutions are closed:

Provided that this prohibition shall not apply to the admission of children below the age of five years.

## FORM A

A three years/temporary licence under section 5 of the Himachal Pradesh Cinemas (Regulation) Act, 1979.

The building/place known as (a).....  
situated at (b).....  
within the town of.....  
in the district of.....  
is licensed under section 5 of the Himachal Pradesh Cinemas (Regulation) Act, 1979, as a place where exhibition by means of a cinematograph may be given.

This licence is granted to (c).....  
and shall remain in force until the.....  
provided that the said (c)..... or  
any person to whom with the consent of the licensing authority the licence is transferred continues to own or manage the cinematograph used in the said (a).....

This licence is granted subject to the provisions of the H.P. Cinemas (Regulation) Act, 1979 and of the rules made thereunder, and to the conditions set forth in the Schedule below:—

- (a) Name of the building etc.
- (b) Name of street or Mohalla
- (c) Name of licensee.

1. All building or other regulations for observance at places of public amusement imposed by municipal by-laws or by any other law or by rules under any other law for time being in force, shall be strictly complied with.

2. Strike out, when not applicable, the words in brackets,—*vide* rule 18 Exception (ii). The licensed building/place shall be maintained in all respects in strict conformity with the rules contained in Part III/IV of the Himachal Pradesh Cinemas (Regulation) Rules, 1979 (save as provided in the exemption certificate appended hereto).

3. The following fire appliances shall be provided, viz:—

(The licensing authority will enter here the number of fire appliances of various kinds which are considered necessary and state where they are to be disposed, *vide* rule 34).

4. (i) This condition may be omitted in the case of temporary licence. The licensee shall observe the classification of the seats and the prices therefor for different parts of the licensed building/place approved by the licensing authority, as indicated below, and shall not amend or alter the same in any way without the prior approval of the licensing authority:

Class of accommodation	*No. of person which may be admitted into the class	Rate of admission
.....	.....	.....
.....	.....	.....
.....	.....	.....

\*The licensing authority will here enter the number of persons who may be admitted into the several parts of the auditorium having special regard to the provisions of rule 24.

5. No firework shall be used as an adjunct to a cinematograph exhibition.

6. Save as the licensing authority may by written order permit, no loud speaker, gramophone, band, drum, bell, horn, whistle, siren or musical instrument of any kind shall be employed or allowed to be used outside the licensed building/place as an advertisement or to attract attention, nor shall any device be employed which is designed or serves to deliver the entertainment to persons outside the licensed building/place.

7. The licensee shall not exhibit or permit to be exhibited any film other than a film which has been certified as suitable for unrestricted public exhibition or for public exhibition restricted to adults and children in arms below the age of three, by any authority constituted under section 5 of the Cinematograph Act, 1918 (II of 1918) and which, when exhibited, displays the prescribed mark of that authority and has not been altered or tampered with in any way since such mark was affixed thereto.

8. No poster, advertisement, sketch, synopsis or programme of a film shall be displayed, sold or supplied either in or anywhere outside the licensed building/place which is likely to be injurious to morality or to encourage or incite to crime or to lead to disorder or to offend the feelings of any section of the public or which contains offensive representations of living persons.

9. At least 48 hours before any film is exhibited for the first time in a District, the licensee shall supply a synopsis of the contents of the film to the District Magistrate of the district in which the licensed building/place is situated;

Provided that the District Magistrate may, for reasons to be recorded in writing, relax the provisions of this clause and accept, in lieu of a proper synopsis, a handbill giving a brief account of the film.

10. The licensee shall, when and so often as Government may require exhibit free of charge or on such terms as regards remuneration as Government may determine, films and lantern slides provided by Government:

Provided that the licensee shall not be required to exhibit at one entertainment films or lantern slides the exhibition of which will take more than 15 minutes in all, or to exhibit films or slides unless they are delivered to him at least 24 hours before the entertainment at which they are to be shown is due to begin.

11. The licensee shall not, without the permission of the licensing authority assign, sublet or otherwise transfer the licence, the licensed building/place or the cinematograph, nor shall the licensee, without permission as aforesaid, allow any other person, during the period of currency of the licence, to exhibit films in the licensed building/place.

12. If any accident occurs in a licensed place, and such accident results in personal injury or is likely to have resulted in personal injury or loss of life, the licensee shall give notice in writing of such accident to the licensing authority and the Electric Inspector to Government, Himachal Pradesh, within 24 hours of its occurrence; and if the accident results in loss of life, the notice shall be given by an express telegram to be confirmed in writing within 24 hours of the occurrence of the accident. Pending an inspection or investigation by the Electric Inspector to Government of Himachal Pradesh, or any officer specially appointed to assist him in this behalf the licensee shall not interfere with or remove from the scene of the accident any electrical or mechanical apparatus, wiring, furnishing, etc. which may have been involved in the accident.

13. The licensee shall not admit to any performance any person whose ticket therefor has been purchased otherwise than from an authorised booking clerk at the licensed place or from an agent whose name and place of business have been notified in advance to the District Magistrate and who has been approved by the District Magistrate as a suitable person to be appointed as agent for the sale of tickets.

14. The licensee will not exhibit or permit to be exhibited in the place in respect of which this licence is given, to any person who is not an adult, any film which has been certified by an authority, constituted under section 6 of the Cinematograph Act, 1918 (II of 1918) as suitable for public exhibition restricted to adults.

*Note.*—This condition shall not be construed as prohibiting the exhibition of a film, in respect of which an 'A' certificate has been granted, to children in arms below the age of three.

15. No advertisement slides relating to sexual diseases and medicines to correct sexual disorder, or purporting to assist the childless in begetting children etc., shall be exhibited through slides in cinema halls.

16. Posters and pictorial publicity material pertaining to cinematograph films which are a gross misrepresentations of the film itself and which even when not clearly obscene are objectionably suggestive, shall not be displayed in cinema halls.

17. Film shall be stored—

- (i) in a storage shed constructed of suitable unflammable materials; the doors and ventilators may be of wood, and shall open outwards, or
- (ii) in a tent, placed on private ground and separated by a distance of not less than 7.6 mts. from any dwelling house, other building, highway, street, or public place.

18. The storage shed shall not form part of, or be

attached to any building in which any person resides or works or where persons assemble for any purpose unless it is separated therefrom by a substantial floor or partition.

19. The storage shed, if in any building, shall not be situated under any staircase or under any other means of exit likely to be required to be used for escape in case of fire.

20. The storage shed shall be adequately ventilated near the ground level and also near or in the roof. All ventilators shall be fitted with metal grids or similar suitable protection on the outside face of the wall and at layer of No. 16 mesh brass or other non-corroding metal wire gauge on the inside face of the wall.

21. Film shall be kept in a securely closed fire-resisting receptacle.

22. The storage shed or tent shall not be used for any other purpose.

23. (i) All operations connected with examination, repairing, cleaning, waxing and rewinding of film, shall only be carried out in the examination room which shall not be used for any other purpose and shall be separated from the storage shed by a partition.

(ii) The examination room shall be constructed of fire-resisting materials only and well ventilated to the outside air.

(iii) Not more than two rolls of film only shall be opened for examination at any one time per examiner and not more than 10 rolls in all shall be under examination or repair at any one time.

24. All film waste and scrap in the examination room shall be placed immediately in a strong metal receptacle fitted with a tight hinged lid and marked "Film waste" and kept under water until disposed of. The content of the drums shall be disposed of at frequent intervals by burning under adequate precautions or in such other manner as may be prescribed by the licensing authority.

25. No alterations shall be carried out in the storage shed or examination room without the previous sanction in writing of the licensing authority. Such alterations so sanctioned shall be shown on an amended plan to be attached to this licence.

26. No two sheds for the storage of film shall adjoin each other or be in the same building.

27. Adequate precautions shall at all time be taken for the prevention of accident by fire or explosion and no smoking, fire or articles capable of causing fire in film shall be permitted at any time within the licensed premises.

28. The furniture and other articles shall be so arranged as to afford free egress to persons in the room in the event of fire.

29. There shall be kept posted up in large characters in the room:—

- (i) full instructions as to the action to be taken in case of fire, and
- (ii) full directions as to the means of escape from the room in case of fire.

30. Free access to the licensed premises shall be given at all reasonable times to any Magistrate or any Police Officer not below the rank of a Sub-Inspector of Police deputed by the District Magistrate or the Superintendent of Police or the Electric Inspector, and every facility shall be afforded to such officer for ascertaining that the rules and conditions are fully observed.

31. Any accident, fire or explosion occurring within the licensed premises which is attended with loss of human life or serious injury to persons or property shall be reported immediately to the nearest Magistrate or to the Officer-in-Charge of nearest Police Station and by

telegram or telephone where such means of communication are available.

32. If the licensing authority call upon the holder of a licence by a notice in writing, to execute any repairs to the licensed premises which are in the opinion of such authority necessary for the safety of the premises the holder of a licence shall execute the repairs within such period, not being less than one week from the date of receipt of notice, as may be fixed by the notice.

33. (a) All lights in storage shed or examination room shall be at the ceiling and of the fixed type. They shall be fitted with substantial, outer protecting vapour proof globes and equipped with keyless sockets. All switches, fuses, plugs, sockets, electric meters and distribution boards shall be installed outside the storage shed or examination room. All frames shall be effectively earthed.

(b) All electric wiring and equipment shall conform to the regulations for the Electrical Equipment of Buildings framed by the Institution of Electrical Engineers. All electrical wiring shall be in gas-tight screwed conduits which shall be electrically and mechanically continuous throughout, and effectively earthed outside the building.

(c) Portable electric lights on extension cords shall not be used in any storage shed or examination room.

34. The licensed premises shall not be used for any purpose other than an exhibition by means of a cinematograph, without the prior permission, in writing of the District Magistrate.

35. The licensee shall not display, or cause to be displayed any photographs, pictures or posters which depict or represent or purport to represent a scene or shot which has been excised from any film under the orders of the Central Board of Film Censors or the Central Government.

36. (i) There shall be prominently exhibited at each public entrance whenever the premises are open to the public a notice indicating in tabular form and in clear bold letters and figures:—

- the title of each film to be shown on that day, other than trailers and advertisement films;
- the approximate times of commencement of each such film;
- whether each such film has received an 'A' or 'U' certificate from the Central Board of Film Censors; and
- whether persons below the age of 18 years other than children below the age of 3 years will be admitted or not.

(ii) The nature of any certificate received in respect of film from the Central Board of Film Censors shall be clearly indicated by the letters 'U' or 'A' in any advertisement of the film displayed at the premises.

37. No person below the age of 18 years shall be admitted to any show commencing before the 3.00 P. M. except on Sunday, a holiday notified by the Himachal Pradesh Government or any other day on which Educational Institutions are closed.

#### FORM 'B' TEMPORARY PERMIT FOR EXHIBITION UNDER THE HIMACHAL PRADESH CINEMAS (REGULATION) ACT, 1979

Whereas ..... (full name and address) has applied for the renewal of his licence and the said licence has been retained in my office pending disposal of his application, he is hereby permitted temporarily to exhibit films in ..... (here enter description of premises) under the Himachal Pradesh Cinemas (Regulation) Act, 1979 for the period of ..... from this date, subject to the provision of section 7 of the Himachal Pradesh Cinemas (Regulation) Act, 1979.

Dated ..... day of ..... 19 ..

#### GENERAL ADMINISTRATION DEPARTMENT (C-SECTION) CORRIGENDUM

Simla-2, the 24th October, 1980

No. GAD (GI) 6(F) 43/79.—Add the following proviso below clause 37 of Form 'A' of the Himachal Pradesh Cinemas (Regulation) Rules, 1979 (English Version) circulated vide this Government notification of even number, dated the 12th September, 1980:—

"Provided that this prohibition shall not apply to the admission of children below the age of five years."

Sd/-  
Deputy Secretary.

#### LOCAL SELF GOVERNMENT DEPARTMENT

##### NOTIFICATION

Simla-171002, the 22nd September, 1980

No. 14-39/73-LSG.—In exercise of the powers conferred by sections 255 and 273 of the Himachal Pradesh Municipal Act, 1968 (Act No. 19 of 1968), the Governor, Himachal Pradesh proposes to make the following draft rules, entitled as the "Simla Municipal Corporation (Recruitment, Promotion and certain other Conditions of Service) Rules, 1979, for the post of Law Officer and Legal Assistant" and the same are hereby published in H. P. Rajpatra for the information of persons likely to be affected thereby and a notice is hereby given that these draft rules will be taken into consideration after 15 days from the date of their publication in the Official Gazette.

If any person affected thereby, desires to make any objections, or has any suggestion to make, regarding these draft rules, he can send the same to the Secretary (L.S.G.) to the Government of H.P., Simla, before the expiry of the above period. The objections or suggestions, if any, so received, will be taken into consideration before making such rules.

#### DRAFT RULES (LAW OFFICER AND LEGAL ASSISTANT)

1. *Short title, commencement and application.*—These rules may be called the "Simla Municipal Corporation (Recruitment, Promotion and certain other Conditions of Service) Rules, 1980 regarding Law Officer and Legal Assistant".

2. In these rules, unless the context otherwise requires:—

- 'Act' means the Capital of Himachal Pradesh (Development and Regulation) Act, 1968 or Simla Municipal Corporation Act, which may be enacted by the Himachal Pradesh State Legislature.
- 'Corporation' means Simla Municipal Corporation as constituted under section 5 of this Act.
- 'Administrator/Commissioner' means an officer appointed as such by the State Government by notification in the Official Gazette to perform the functions of the Administrator/Commissioner under the Act.
- 'Mayor/President' means a person elected as such and whose name is notified in the Official Gazette in accordance with the provisions of the Act or rules made thereunder.
- 'Municipal Act' means the Himachal Pradesh Municipal Act, 1968.

- (i) Name of post .. Law Officer, Municipal Corporation, Simla.
- (ii) Number of posts .. One
- (iii) Scale of Pay .. Rs. 600-30-900/40-1100.
- (iv) Nationality .. Indian



No person shall be appointed unless he is;—

- (a) a citizen of India;
- (b) a citizen of Nepal;
- (c) a subject of Bhutan, or
- (d) a Tibetan refugee, who came over to India before 1st January, 1962 with the intention of permanently settling in India, or
- (e) a person of Indian origin, who has migrated from Pakistan, Burma, Sri Lanka and East African countries of Kenya, Uganda and the United Republic of Tanzania (Formerly Tanganyika and Zanzibar) Zambia, Zaira and Ethiopia with the intention of permanently settling in India:

Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been given by the Government of India;

- (f) no person shall be recruited unless his antecedents and character have been verified before hand by a reference to the Police Department;
- (g) no person:—
  - (i) who has entered into or contracted a marriage with a person having a spouse living, or
  - (ii) who having a spouse living has entered into or contracted marriage with any person shall be eligible for appointment:

Provided that the Municipal Corporation may, if satisfied, that such marriage is permissible under the personal law applicable to such person and other party to the marriage and there are other grounds for doing so, exempt any person from the operation of this rule, if such exemption is valid in law.

4. *Qualification and experience (Law Officer).—* Law Graduate and should have at least experience of eight years as practising advocate in District Courts.

(b) Recruitment shall be direct. The post shall be notified to the Employment Exchange and simultaneously advertised in two issues of two papers to be selected by the Administrator.

- |                  |   |
|------------------|---|
| (c) Age limit:   | } To be reckoned on the last date of receipt of applications. |
| Minimum 35 years |   |
| Maximum 45 years |   |

(d) *Physical fitness:*—The person appointed shall be required to produce certificate of physical fitness from the Superintendent, Ripon Hospital, Simla, before joining.

5. *Probation.*—(i) A person appointed shall be on probation for two years.

(ii) If the work and conduct of a person appointed during the period of probation are, in the opinion of appointing authority satisfactory, he shall be confirmed on the expiry of the probation period.

(iii) If the work or conduct of a person appointed during his probation is, in the opinion of the appointing authority, not satisfactory, dispense with his services, or

(iv) Extend his probationary period and thereafter pass such orders, as it could have passed on the expiry of the first period of probation:

Provided that the total period of probation including extension, if any, shall not exceed three years.

#### *Duties:*

To conduct and defend all cases by and against the Municipal Corporation in various courts including Food cases, Labour cases and High Court cases, drafting of By-laws, Agreements, Legal advice and other legal work

which may be entrusted to him by the Administrator/Commissioner, Mayor/President, from time to time.

#### 6. *Mode of Recruitment:*

The recruitment shall be made by the Simla Municipal Corporation on the recommendations of a Selection Committee, consisting of—

- (i) Administrator/Mayor/President.
- (ii) Two officers to be appointed by the Government. Two of these to be having experience in legal matters.

#### 7. *Legal Assistant :*

- |                           |   |
|---------------------------|---|
| (i) Name of post          | .. Legal Assistant.   |
| (ii) Number of posts      | One   |
| (iii) Mode of recruitment | .. By promotion (selection will be made by the DPC consisting of Administrator, Executive Officer and Law Officer) failing which by direct recruitment. |

- |                                  |   |
|----------------------------------|---|
| (iv) Qualifications & Experience | .. Degree in Law, should be holding a post not below the rank of an Assistant. If suitable person with requisite qualifications and experience is available then the recruitment shall be made direct. In such a case qualifications— |
|                                  | (i) Qualifications: Degree in Law.  |
|                                  | (ii) Experience: Should have at least two years experience as practising Advocate.  |
|                                  | (iii) Age: Between 18 years to 30 years.  |
| (v) Scale of pay                 | .. Rs. 200-10-300/15-450.   |
| (vi) Duties                      | .. As may be entrusted by the Law Officer with the orders of the Executive Officer.   |
| (vii) Age limit                  | .. Does not arise as the post is to be filled by promotion.   |

8. For leave, travelling allowance, joining time, suspension, removal, medical facilities, fees, honoraria, contributory provident fund, resignation, retrenchment, gratuity, punishment and appeals, efficiency bar, increment and other matter not expressly provided in these rules, Law Officer and Legal Assistant shall be governed by rules applicable to municipal employees from time to time.

*Note:*—Rules regarding Legal Assistant have been framed but these are subject to the condition that the post is sanctioned by the Municipal Corporation and approval accorded by the State Government.

9. The State Government may relax any of the provision of these rules, where the Simla Municipal Corporation is of the opinion that it is necessary or expedient to do so for reasons to be recorded in writing.

By order,  
Kr. SHAMSHER SINGH,  
Secretary.

## भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायती राज विभाग

पंचायती राज विभाग

अधिसूचना

शिमला-2, 31 दिसम्बर, 1980

संख्या पी०सी०एच०एच०बी०-०(१)-१०/७७—इस विभाग के सम संख्यक अधिसूचना दिनांक ३-१२-७९ के क्रम में राज्यपाल, हिमाचल प्रदेश, श्री बी० एस० पठानिया, सह-निदेशक को उप-निदेशक

(श्रेणी-१ राजपत्रित), पंचायती राज विभाग, वेतनमान, १२००-५०-१४००/६०-१७००/७५-१८५० के पद पर दिनांक ४-३-७९ से ३१-१२-८० तक तदर्थ पदोन्नति के सहर्ष आदेश प्रदान करते हैं। यह आदेश लोक सेवा आयोग, हिमाचल प्रदेश की पूर्ण सहमति उनके पत्रांक संख्या २-८/७७ पी० एस० सी० दिनांक २०-९-७९ तथा ९-९-१९८० के अन्तर्गत जारी किये गये हैं।

बी० सी० नेगी,  
सचिव।

## भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

शून्य

## भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

### LAW DEPARTMENT

### NOTIFICATIONS

Simla-171002, the 22nd July, 1980

No. LLR-E(9)10/79.—The Essential Services Maintenance (Orissa) Ordinance, 1980 (No. 8 of 1980) recently promulgated by the President, which has already been published in the Gazette of India, Extraordinary, Part II, Section I, dated 24th May, 1980, is hereby republished in the Himachal Pradesh Government Rajpatra, for the information of general public.

### MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 24th May, 1980 /Jyaistha 3, 1902 (Saka)

### THE ESSENTIAL SERVICES MAINTENANCE (ORISSA) ORDINANCE, 1980

No. 8 OF 1980

Promulgated by the President in the Thirty-first Year of the Republic of India.

An Ordinance to provide for the maintenance of certain essential services and the normal life of the community in Orissa.

WHEREAS by a Proclamation issued on the 17th day of February, 1980, by the President under article 356 of the Constitution, the powers of the Legislature of the State of Orissa have been declared to be exercisable by or under the authority of Parliament;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution and of all other powers enabling him in this behalf, the President is pleased to promulgate the following Ordinance:—

1. *Short title, extent and commencement.*—(1) This Ordinance may be called the Essential Services Maintenance (Orissa) Ordinance, 1980.

- (2) It extends to the whole of the State of Orissa.
- (3) It shall come into force at once.

2. *Definitions.*—(1) In this Ordinance, unless the context otherwise requires,—

(a) “essential service” means—

- (i) any service connected with the supply or distribution of water and with the maintenance of water works;
- (ii) any service connected with hospitals and dispensaries;
- (iii) any service connected with the production, supply or distribution of electricity including any service under the Orissa State Electricity Board constituted under the Electricity (Supply) Act, 1948 (54 of 1948);
- (iv) any service connected with the conduct of general elections for the purpose of constituting a new Legislative Assembly for the State of Orissa;
- (v) any service in connection with the affairs of the State not being a service specified in any of the foregoing sub-clauses which, the State Government may, by notification, declare to be an essential service for the purposes of this Ordinance;
- (vi) any other service connected with any matter with respect to which the State Legislature has power to make laws and which the State Government, being of opinion that strikes therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community, may, by notification, declare to be an essential service for the purposes of this Ordinance;

(b) “strike” means the cessation of work by a body of persons employed in any essential service acting in combination or a concerted refusal or a refusal under a common understanding of any number of persons who are or have been so employed to continue to work or to accept employment and includes—

- (i) unauthorised absence from duty in pursuance of a common understanding among the persons who unauthorisedly absent themselves from duty or under the direction of any other person or persons;
- (ii) refusal to work overtime where such work is necessary for the maintenance of any essential service;



(iii) any other conduct which is likely to result in, or results in, cessation or substantial retardation of work in any essential service.

(14 of 1947), or in any other law for the time being in force.

N. SANJIVA REDDY,

President.

R. V. S. PERI SASTRI,

Secy. to the Govt. of India.

Simla-171002, the 24th October, 1980

No. LLR-E (9)10/79.—The following Acts, recently passed by the Parliament which have already been published in the Gazette of India, Extraordinary, Part-II, section I, are hereby republished in the Himachal Pradesh Government Rajpatra, for the information of general public:—

Sr. No.	Title	Date of assent.	Date of the Gazette of India (Extraordinary) Part II, Section in which the Acts were published
1	2	3	4
1.	The Inter-State Water Disputes (Amendment) Act, 1980 (Act No. 45 of 1980).	27-8-1980	28-8-1980
2.	The Brahmaputra Board Act, 1980 (Act No. 46 of 1980).	1-9-1980	3-9-1980

G. S. CHAUHAN,  
Under Secretary (Law).

Assented to on 27-8-1980.

# THE INTER-STATE WATER DISPUTES (AMENDMENT) ACT, 1980

(ACT NO. 45 OF 1980)

AN

ACT

further to amend the Inter-State Water Disputes Act, 1956.

BE it enacted by Parliament in the Thirty-first year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Inter-State Water Disputes (Amendment) Act, 1980.

2. *Insertion of new section 6A.*—In the Inter-State Water Disputes Act, 1956 (33 of 1956) (hereinafter referred to as the principal Act), after section 6, the following section shall be inserted, namely:—

“6A. *Power to make schemes to implement decision of Tribunal.*—(1) Without prejudice to the provisions of section 6, the Central Government may, by notification in the Official Gazette, frame a scheme or schemes whereby provision may be made for all matters necessary to give effect to the decision of a Tribunal.

(2) A scheme framed under sub-section (1) may provide for—

(a) the establishment of any authority (whether described as such or as a committee or other

*Explanation.*—Where the Houses of Parliament are summoned to re-assemble on different dates, the period of forty days shall be reckoned from the later of those dates.

## 3. *Power to prohibit strikes in certain employments.*—

(1) If the State Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special order, prohibit strikes in any essential service specified in the Order.

(2) An Order made under sub-section (1) shall be published in such manner as the State Government considers best calculated to bring it to the notice of the persons affected by the Order.

(3) An Order made under sub-section (1) shall be in force for six months only, but the State Government may, by a like Order, extend it for any period not exceeding six months if it is satisfied that in the public interest, it is necessary or expedient so to do.

(4) Upon the issue of an Order under sub-section (1)—

(a) no person employed in any essential service to which the Order relates shall go or remain on strike; and

(b) any strike declared or commenced, whether before or after the issue of the Order, by persons employed in any such service shall be illegal.

4. *Penalty for illegal strikes.*—Any person who commences a strike which is illegal under this Ordinance or goes or remains on, or otherwise takes part in, any such strike shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundreded rupees, or with both.

5. *Penalty for instigation, etc.*—Any person who instigates or incites other persons to take part in, or otherwise acts in furtherance of, or does any act preparatory to, a strike which is illegal under this Ordinance shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

6. *Penalty for giving financial aid to illegal strikes.*—Any person who knowingly expends or supplies any money in furtherance or support of a strike which is illegal under this Ordinance shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

7. *Power to arrest without warrant.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1973, (2 of 1974) all offences under this Ordinance shall be non-bailable and any police officer may arrest without warrant any person who is reasonably suspected of having committed any such offence.

8. *Ordinance to override other laws.*—The provisions of this Ordinance and of any Order issued thereunder shall have effect notwithstanding anything inconsistent therewith contained in the Industrial Disputes Act, 1947

- body) for the implementation of the decision or directions of the Tribunal;
- (b) the composition, jurisdiction, powers and functions of the authority, the term of office and other conditions of service of, the procedure to be followed by, and the manner of filling vacancies among, the members of the authority;
  - (c) the holding of a minimum number of meetings of the authority every year, the quorum for such meetings and the procedure thereat;
  - (d) the appointment of any standing, *ad hoc* or other committees by the authority;
  - (e) the employment of a Secretary and other staff by the authority, the pay and allowances and other conditions of service of such staff;
  - (f) the constitution of a fund by the authority, the amounts that may be credited to such fund and the expenses to which the fund may be applied;
  - (g) the form and the manner in which accounts shall be kept by the authority;
  - (h) the submission of an annual report by the authority of its activities;
  - (i) the decisions of the authority which shall be subject to review;
  - (j) the constitution of a committee for making such review and the procedure to be followed by such committee; and
  - (k) any other matter which may be necessary or proper for the effective implementation of the decision or directions of the Tribunal.
- (3) In making provision in any scheme framed under sub-section (1) for the establishment of an authority for giving effect to the decision of a Tribunal, the Central Government may, having regard to the nature of the jurisdiction, powers and functions required to be vested in such authority in accordance with such decision and all other relevant circumstances, declare in the said scheme that such authority shall, under the name specified in the said scheme, have capacity to acquire, hold and dispose of property, enter into contracts, sue and be sued and do all such acts as may be necessary for the proper exercise and discharge of its jurisdiction, powers and functions.
  - (4) A scheme may empower the authority to make, with the previous approval of the Central Government, regulations for giving effect to the purposes of the scheme.
  - (5) The Central Government may, by notification in the official Gazette, add to, amend, or vary any scheme framed under sub-section (1).
  - (6) Every scheme framed under this section shall have effect notwithstanding anything contained in any law for the time being in force (other than this Act) or any instrument having effect by virtue of any law other than this Act.
  - (7) Every scheme and every regulation made under a scheme shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the scheme or the regulation or both Houses agree that the scheme or the regulation should not be made, the scheme or the regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that scheme or regulation."

3. *Amendment of section 13.*—In section 13 of the principal Act, in sub-section (3), for the words "which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following", the words "which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session of the successive sessions aforesaid" shall be substituted.

Assented to on 1-9-1980.

## THE BRAHMAPUTRA BOARD ACT, 1980

(ACT No. 46 OF 1980)

AN

ACT

*to provide for the establishment of a Board for the planning and integrated implementation of measures for the control of floods and bank erosion in the Brahmaputra Valley and for matters connected therewith.*

BE it enacted by Parliament in the Thirty-first year of the Republic of India as follows:—

### CHAPTER I

#### PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Brahmaputra Board Act, 1980.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Declaration as to expediency of control by the Union.*—It is hereby declared that it is expedient in the public interest that the Central Government should take under its control the regulation and development of the inter-State Brahmaputra river valley to the extent herein after provided.

3. *Definitions.*—In this Act, unless the context otherwise requires,—

- (a) "Board" means the Brahmaputra Board established under section 4;
- (b) "Brahmaputra Valley" means the inter-State Brahmaputra river valley as demarcated under section 11;
- (c) "Fund" means the Brahmaputra Board Fund constituted under section 19;
- (d) "Master Plan" means the Master Plan for the control of floods, bank erosion and improvement of drainage in the Brahmaputra Valley prepared under section 12 and includes, where it is prepared in parts, each such part;
- (e) "member" means a member of the Board;
- (f) "prescribed" means prescribed by rules made under this Act;
- (g) "regulations" means regulations made by the Board under this Act;
- (h) "rules" means rules made by the Central Government under this Act;
- (i) "State Government", in relation to a Union territory, means the administrator thereof appointed under article 239 of the Constitution.

### CHAPTER II

#### ESTABLISHMENT OF THE BOARD

4. *Establishment and incorporation of the Brahmaputra Board.*—(1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established for the purposes of this Act a Board, to be called the Brahmaputra Board.

(2) The Board shall be a body corporate by the name aforesaid, having perpetual succession and a common seal

with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the said name sue and be sued.

(3) The Board shall consist of the following members, namely:—

- (a) a Chairman and a Vice-Chairman to be appointed by the Central Government;
  - (b) the General Manager of the Board and the Financial Adviser to the Board, *ex officio*;
  - (c) a member each to represent respectively the Governments of Assam, Meghalaya, Nagaland, Manipur and Tripura and the Administrations of Arunachal Pradesh and Mizoram, and the North-Eastern Council constituted under section 3 of the North-Eastern Council Act, 1971 (84 of 1971), to be appointed by the Central Government;
  - (d) a member each to represent respectively the Ministries of the Central Government dealing with agriculture, irrigation, finance, power and transport to be appointed by the Central Government;
  - (e) a member each to represent respectively the Central Water Commission, the Central Electricity Authority, the Geological Survey of India, the India Meteorological Department, to be appointed by the Central Government.
- (4) If any member, for infirmity or otherwise, is incapable of carrying out his duties or is absent on leave otherwise than in circumstances not involving the vacation of his appointment, the Central Government may appoint another person to act in his place.

(5) Any officer of the Central Government not being a member of the Board, if deputed by that Government in this behalf, shall have the right to attend the meetings of the Board and take part in the proceedings thereof, but shall not be entitled to vote.

(6) The Board may associate with itself, in such manner and for such purposes as may be determined by regulations, any person whose assistance or advice it may desire in complying with any of the provisions of this Act and a person so associated shall have the right to take part in the discussions of the Board relevant to the purpose for which he has been associated, but shall not be entitled to vote.

(7) No act or proceeding of the Board shall be invalidated merely by reason of—

- (a) any vacancy in, or any defect in the constitution of, the Board; or
- (b) any defect in the appointment of a person acting as a member of the Board; or
- (c) any irregularity in the procedure of the Board not affecting the merits of the case.

(8) Subject to any rules made under this Act, the Board may constitute a Standing Committee consisting of the General Manager of the Board, Financial Adviser to the Board and three other members of the Board.

(9) The Standing Committee constituted under sub-section (8) shall perform, exercise and discharge such of the functions, powers and duties of the Board as may be prescribed or as may be delegated to it by the Board.

5. *Conditions of service of members.*—The term of office of the members (other than the *ex officio* members) and other conditions of service of the members shall be such as may be prescribed.

6. *Powers of Chairman and Vice-Chairman.*—(1) The Chairman shall, in addition to presiding over the meetings of the Board, exercise and discharge such powers and duties of the Board as may be delegated to him by the Board and such other powers and duties as may be prescribed.

(2) The Vice-Chairman of the Board shall exercise and discharge such of the powers and duties of the Chairman as may be prescribed or as may be delegated to him by the Chairman.

7. *General Manager.*—(1) The Central Government shall appoint the General Manager of the Board.

(2) The terms and conditions of service of the General Manager shall be such as may be prescribed.

(3) Subject to the general superintendence and control of the Board and the Chairman of the Board, the General Manager shall be the Chief Executive Authority of the Board.

(4) The General Manager shall exercise and discharge such of the powers and duties of the Chairman as may be prescribed or, as may be delegated to him by the Chairman, and such other powers and duties as may be prescribed by rules or determined by regulations.

8. *Financial Adviser.*—(1) The Central Government shall appoint the Financial Adviser to the Board.

(2) The terms and conditions of service of the Financial Adviser shall be such as may be prescribed.

9. *Chief Engineers, Secretary and other officers.*—(1) The Central Government shall appoint—

- (a) two Chief Engineers to assist the General Manager of the Board; and
- (b) the Secretary to the Board.

(2) The Board may appoint such other officers and employees as it considers necessary for the efficient discharge of its functions under this Act.

(3) The terms and conditions of service of the Chief Engineers, the Secretary and other officers and employees of the Board shall be such as may be determined by regulations.

10. *Advisory Committees.*—Subject to any rules made in this behalf, the Board may from time to time constitute such Advisory Committees as may be necessary for the efficient discharge of its functions.

## CHAPTER III

### FUNCTIONS AND POWERS OF THE BOARD

11. *Limits of the Brahmaputra Valley.*—(1) As soon as may be after the commencement of this Act, the Central Government shall, by notification in the Official Gazette, demarcate the limits of the Brahmaputra Valley for the purposes of this Act.

(2) The Board shall perform such of its functions and exercise such of the powers within such areas in the Brahmaputra Valley as the Central Government may, by notification in the Official Gazette, specify from time to time:

Provided that a before issuing any notification in respect of any area under this sub-section, the Central Government shall consult the Government of the State within which such area is situated.

12. *Master Plan for the control of floods, etc., in the Brahmaputra Valley.*—(1) Subject to the other provisions of this Act and the rules, the Board shall carry out surveys and investigations in the Brahmaputra Valley and prepare a Master Plan for the control of floods and bank erosion and improvement of drainage in the Brahmaputra Valley:

Provided that the Board may prepare the Master Plan in parts with reference to different areas of the Brahmaputra Valley or with reference to different matters relating to such areas and may, as often as it considers necessary so to do, revise the Master Plan or any part thereof.

(2) In preparing the Master Plan, the Board shall have regard to the development and utilization of the water resources of the Brahmaputra Valley for irrigation, hydro power, navigation and other beneficial purposes and shall, as far as possible, indicate in such plan the works and other measures which may be undertaken for such development.

(3) The Master Plan shall be submitted to the Central Government as soon as may be after it has been prepared or, as the case may be, revised and the Central Government shall, after consultation with the State Governments concerned, approve the same subject to such modifications as it may deem fit.

**13. Other functions of the Board.**—(1) The Board shall also—

- (a) prepare detailed reports and estimates in respect of the dams and other projects proposed in the Master Plan as approved by the Central Government and indicate in each case the cost attributable to different purposes or uses;
- (b) draw up standards and specifications for the construction, operation and maintenance of such dams and other projects;
- (c) construct, with the approval of the Central Government, multi-purpose dams and works connected therewith proposed in the Master Plan as approved by the Central Government and maintain and operate such dams and works;
- (d) prepare, in consultation with the State Governments concerned, a phased programme for the construction by the State Governments of all dams and other projects proposed in the Master Plan as approved by the Central Government other than those referred to in clause (c);
- (e) perform any other function which may be prescribed for the proper implementation of this Act;
- (f) perform such other functions as are supplemental, incidental or consequential to the functions specified in section 12 or in clauses (a) to (d), or prescribed under clause (e), of this sub-section.

(2) Notwithstanding anything contained in clause (d) of sub-section (1), the Board may, with the prior approval of the Central Government, construct any dam or project referred to in that clause if it is satisfied, having regard to the cost of construction, and the expertise required for the construction, of any such dam or project, that it is expedient so to do.

(3) The Board may maintain and operate any dam or project referred to in sub-section (2) for so long as it deems it necessary so to do.

**Explanation.**—For the purposes of this section, “multi-purpose dam” means a dam which is constructed for purposes of flood control and for other purposes.

**14. Conditions subject to which the Board may perform its functions.** The performance by the Board of the functions specified in, or prescribed under, sections 12 and 13 shall be subject to the following conditions, namely:—

- (a) no multi-purpose dam referred to in clause (c) of sub-section (1) of section 13 shall be constructed by the Board unless the State Governments concerned make available the land required for the purpose;
- (b) no dam or project referred to in clause (d) of sub-section (1) of section 13 shall be constructed by the Board unless the State Governments concerned make available free of cost the land required for its execution and also undertake to take over its maintenance on and from the expiry of such period after its completion as may be specified by the Board;
- (c) no dam or other works shall be undertaken by the Board unless the State Governments concerned agree to provide all such assistance as may be required for the construction, operation and maintenance thereof;
- (d) such other conditions (including conditions relating to the sharing by the State Governments concerned of the whole or any part of cost of dam or other works constructed by the Board) as may be specified by the Central Government by general or special order published in the Official Gazette:

Provided that before undertaking the construction of any such dam or other works, the Board shall apprise the State Governments concerned of the cost of construction of, and the benefits likely to accrue from, such dam or other works and the proportion in which the State Governments shall share such cost and benefits:

Provided further that if the Board and the State Governments are unable to agree in respect of the sharing of the cost and benefits of any such dam or other works, the Board shall refer the matter to the Central Government for decision and the Central Government shall decide such matter after consulting the State Governments and the decision of the Central Government shall be final.

**15. General powers of the Board.**—(1) Subject to the provisions of this Act and the rules, the Board shall have the power to do anything which may be necessary or expedient for the purpose of performing its functions under this Act.

(2) Without prejudice to the generality of the provisions of sub-section (1), the Board may:—

- (a) publish statistics or other information relating to various aspects of flood control, bank erosion and drainage in the Brahmaputra Valley;
- (b) require the State Governments concerned to furnish to it information relating to the measures undertaken by them for the control of floods and bank erosion and improvement of drainage in the Brahmaputra Valley, topographical meteorological and hydrological and other related data and such other information as the Board may require for the performance of its functions under this Act.

**16. Forwarding of, and consultation with respect to, plans, etc., prepared by the Board.**—(1) The Board shall forward copies of the Master Plan, reports, estimates, standard and specifications prepared by it to the Central Government and the State Governments concerned.

(2) The Central Government and the State Governments concerned may consult the Board with regard to any matters connected with, or arising out of, such plan, reports, estimates or standards and specifications.

(3) If, for any reason, a State Government considers it necessary to execute and project for the control of floods and bank erosion and drainage work in Brahmaputra Valley and such project is not envisaged in the Master Plan or such project is intended to be executed by the State Government in a manner not in conformity with the Master Plan, the State Government may consult the Board with regard to the execution of the project and the Board may make such recommendations as it may deem fit:

Provided that nothing contained in this sub-section shall be construed as imposing any requirement on any State Government to consult the Board with regard, to the execution of any works which have become urgently necessary by reason of any emergency or other extraordinary circumstances.

## CHAPTER IV

### CONTROL BY CENTRAL GOVERNMENT

**17. Directions and instructions by Central Government.**—(1) The Central Government may, from time to time, issue to the Board such directions and instructions as it may deem necessary for the efficient administration of this Act and the Board shall carry out such directions and instructions.

(2) In particulars and without prejudice to the generality of the provisions of sub-section (1), the Central Government may, while granting (whether directly or through the Board and after due appropriation made by Parliament by law in that behalf) any financial assistance, by way of loans or grants for the execution by any State Government of any dam or other project referred to in clause (d) of sub-section (1) of section 13 after obtaining the approval of the State Government in this behalf, direct the Board

to exercise all such powers as may be necessary for satisfying itself that the works are being executed in accordance with the standards and specifications laid down therefor by the Board.

## CHAPTER V

### FINANCE, ACCOUNTS AND AUDIT

**18. Grants and loans by Central Government.**—The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Board such sums of money as the Central Government may consider necessary.

**19. Constitution of Brahmaputra Board Fund.**—(1) There shall be constituted a Fund to be called the Brahmaputra Board Fund and there shall be credited thereto the sums paid to the Board by the Central Government or by any State Government and all other sums received by the Board.

(2) The Fund shall be applied—

- for meeting the salary allowances and other remuneration of the members, officers and other employees of the Board and other administrative expenses of the Board;
- for meeting the expenditure on surveys and investigations undertaken by the Board;
- for meeting the cost of construction, operation and maintenance of projects undertaken by the Board;
- for meeting the other expenses of the Board in the discharge of its functions under this Act; and
- if any sums are received by the Board under sub-section (2) of section 17, for the payment of such sums to the State Governments concerned.

**20. Budget.**—The Board shall prepare, in such form and at such time each year as may be prescribed, its budget for the next financial year, showing the estimated expenditure, the amount of expenditure which any State Government has undertaken to provide for, and forward the same to the Central Government.

**21. Annual report.**—The Board shall prepare, in such form and at such time each year as may be prescribed, its annual report, giving a full account of its activities during the previous year, and forward copies thereof to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

**22. Accounts and audit.**—The accounts of the Board shall be maintained and audited in such manner as may, in consultation with the Comptroller and Auditor-General of India, be prescribed.

## CHAPTER VI

### MISCELLANEOUS

**23. Disputes between the Board and the State Governments.**—(1) If any dispute arises between the Board and any State Government regarding any matter covered by this Act or touching or arising out of it, it shall be referred to the Central Government.

(2) The Central Government shall endeavour to resolve the dispute by negotiations or conciliation in such manner as may be prescribed.

(3) Notwithstanding anything contained in sub-section (2), if the Central Government considers, whether before initiating action for resolving a dispute by negotiations or conciliation or at any stage after initiating such action, that the dispute is of such a nature that it is necessary or expedient to refer it to arbitration, the Central Government shall in such form and in such manner as may be prescribed, refer the matter in dispute to an arbitrator who shall be appointed by the Chief Justice of India.

(4) The arbitrator may appoint two or more persons as assessors to assist him in the proceedings before him.

(5) The decision of the arbitrator shall be final and binding on the parties to the dispute and shall be given effect to by them.

(6) Nothing in the Arbitration Act, 1940 (10 of 1940), shall apply to any arbitration under this section.

**24. Removal etc., of members.**—(1) The Central Government may remove from the Board any member who, in its opinion,—

- refuses to act,
- has become incapable to act,
- has so abused his office as a member so as to render his continuance on the Board detrimental to the interests of the public, or
- is otherwise unsuitable to continue as a member.

(2) The Central Government may suspend any member pending an inquiry against him.

(3) No order of removal under this section shall be made unless the member concerned has been given an opportunity to submit his explanation to the Central Government and when such order is passed, the seat of the member removed shall be declared vacant.

(4) A member who has been removed under this section shall not be eligible for reappointment as a member or in any capacity under the Board.

(5) If the Board fails to carry out its functions or directions issued by the Central Government under this Act, the Central Government shall have power to reconstitute the Board.

**25. Power to enter.**—Subject to any rules made in this behalf, any officer of the Board generally or specially authorised by the Board in this behalf, may, at all reasonable times, enter upon any land or premises and there do such things as may be reasonably necessary for the purpose of lawfully carrying out any of its works or of making any survey, examination or investigation, preliminary or incidental to the exercise of powers or the performance of the functions by the Board under this Act:

Provided that no such officer shall enter any building or any enclosed court or garden attached to a dwelling house, unless with the consent of the occupier thereof, without previously giving such occupier at least seven days' notice in writing of his intention to do so.

**26. Members, officers and employees of the Board to be public servants.**—All members, officers and employees of the Board shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

**27. Protection of action taken in good faith.**—(1) No suit, prosecution or other legal proceedings shall lie against the Government or any officer of the Government or any member, officer or employee of the Board for anything which is in good faith done or intended to be done under this Act or the rules or regulations.

(2) No suit or other legal proceedings shall lie against the Board for any damage caused, or likely to be caused by anything in good faith done or purported to be done under this Act or the rules or regulations, and in particular, it shall not be the responsibility of the Board to provide for relief measures necessitated by floods or by breaches and failures of works.

**28. Power to make rules.**—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- the matters with respect to the standing committee of the Board referred to in sub-sections (8) and (9) of section 4;



- (b) the term of office of members (other than the *ex officio* members), and other conditions of service of the members, of the Board under section 5;
- (c) the powers and duties of the Chairman and Vice-Chairman under section 6;
- (d) the terms and conditions of service and the powers and duties of the General Manager under section 7;
- (e) the terms and conditions of service of the Financial Adviser under section 8;
- (f) the conditions and restrictions with respect to carrying out surveys and investigations and preparation of a Master Plan under sub-section (1) of section 12 and other matters relating thereto;
- (g) the additional functions of the Board under clause (e) of sub-section (1) of section 13;
- (h) the conditions and restrictions with respect to the general power of the Board under sub-section (1) of section 15 and other matters relating thereto;
- (i) the form in which, and the time when, the Board shall prepare its budget under section 20 and its annual report under section 21, and the manner in which the accounts of the Board shall be maintained and audited under section 22;
- (j) the manner in which the Central Government shall endeavour to resolve under sub-section (2) of section 23, the disputes referred to therein and the form and manner in which such disputes may be referred, under sub-section (3) of that section, to arbitration;
- (k) the conditions and restrictions with respect to the exercise of the power to enter under section 25 and other matters relating thereto;
- (l) any other matter which is to be, or may be, prescribed or in respect of which provision is to be, or may be, made by rules.

29. *Power to make regulations.*—(1) The Board may, with the previous approval of the Central Government, by notification in the Official Gazette, make regulations consistent with this Act and the rules generally to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all any of the following matters, namely:—

- (a) the manner in which, and the purposes for which, the Board may associate with itself any person under sub-section (6) of section 4;
- (b) the powers and duties of the General Manager of the Board which may be determined under sub-section (4) of section 7;
- (c) the terms and conditions of service of the Chief Engineers, the Secretary and other officers and employees of the Board under sub-section (3) of section 9;
- (d) any other matter in respect of which provisions is to be or may be made by regulations.

30. *Rules and regulations to be laid before Parliament.*—Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses that agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

## भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

शून्य

अनुपूरक

शून्य

## PART I

### M.P.P. & POWER DEPARTMENT

#### NOTIFICATION

Simla-171002, the 25th November, 1980

No. M.P.P.-F(5)-45 77.—Agreement made between the Himachal Pradesh State Electricity Board and the Government of Himachal Pradesh through the Secretary (M.P.P. & Power) for the construction of Road for Andhra Hydel Project from Gaonsari to Bridge Site in Simla district is hereby published in the Gazette for the information of general public under section 42, of the Land Acquisition Act, 1894.

Sd/-  
Deputy Secretary.

#### AGREEMENT

This Agreement is made on the 20th day of November, 1980, between the Himachal Pradesh State Electricity Board having its headquarters at Simla [as statutory body incorporated under the provision of the Electricity (Supply) Act, 1948] (Act No. LIV of 1948) through Shri H. S. Dubey, Chairman, Himachal Pradesh State Electricity Board (herein called "The Company" which expression shall, unless the context otherwise required, include his successors in office and assignees) of the one part and the Governor of Himachal Pradesh, through

the Secretary (M.P.P. & Power), Government of Himachal Pradesh (hereinafter called "The Governor" which expression shall, unless the context otherwise require, include his successors in office and assignees) of the other part.

Whereas for the purpose of the construction of Road for Andhra Hydel Project from Gaonsari to Bridge Site in Simla district, the company has applied to the Government of Himachal Pradesh for the acquisition under the provisions of the Land Acquisition Act, 1894, for the price of land containing an area of 7.5 Bighas, as per detail noted in the specification below situated in village Jabal, Tehsil Rohru, District Simla, and more particularly described in the schedule hereto and delineated in the plan hereunto annexed;

And whereas the said Government of Himachal Pradesh being satisfied by an enquiry held under section 40, of the said Act that the proposed acquisition is needed for the aforesaid purpose and the said work is likely to prove useful to public, has consented to acquire on behalf of the company, the piece of land hereinbefore described;

And whereas the said Government of Himachal Pradesh has required the company under the provision of section 41, of the above mentioned Act to enter into the Agreement with the Governor hereinafter contained;

Now this indenture witnesseth that it is hereby agreed and declared as follows:

1. On demand the company shall and will pay to the said Government all and every amount in lieu of the said land tendered, paid or awarded or to be tendered, paid or awarded by the Collector under the Land Acquisition Act, 1894, or by Court or Courts to which an appeal from the award of the said Court may be preferred and all costs, charges and expenses of the proceeding in the aforesaid Courts, or otherwise incidental of the proposed acquisition or payable in respect thereof under the provisions of said Act.
2. On demand made by the said Collector the obligation of the company under the last preceding clause not being thereby, limited, the company shall and will deposit with the said Collector such sum or sums of money as in his discretion, the said Collector may in anticipation estimate to be necessary for the purposes mentioned in the last preceding clause.
3. On payment by the company of all demands under the foregoing first clause, or in the discretion of the said Government (on deposit by the company of all estimated amounts as provided in the second clause), but not before possession shall have been taken under the provisions of the above mentioned Act, the Government shall make over possession of the said land to the company and shall execute and do all such acts and deeds as may be necessary and proper for effectually vesting the same in the company.
4. The said land shall be held by the company for the purpose of such as construction of Road for Andhra Hydel Project from Gaonsari to Bridge Site in Simla district, as is hereinbefore mentioned and without the sanction in writing of the said Government first had and obtained for no other purpose whatsoever.
5. The construction of said road for Andhra Hydel Project from Gaonsari to Bridge Site in Simla district shall be completed (and fully equipped in all respects ready for use) within minimum period of 2 years from the date on which possession of the said land shall have been given to the company.
6. Should the said land/road not be completed (and fully equipped in all respect ready for use) within the period stated in the last preceding clause or within such further period as in its discretion may be prescribed or allowed by the said Government or should the said land at any time thereafter cease for a period of six consecutive months to be held and used or cease to be required for the purpose or purposes provided for in the foregoing fourth clause then and in any such case, the said Government may summarily re-enter upon and take possession of the said land together with all land/road thereafter whether such land/road were erected before or after the transfer of the land to the company, and thereupon the interest of the company in the said land and road shall absolutely cease and determine.
7. On taking such possession the said Government may sell or otherwise deal with the said land and building as it may think proper:-
  - (i) Should the said Government sell the land with the land/road the said Government after deducting the expenses incurred in connection with the said taking of possession and with such sale shall pay the proceeds to the company.
  - (ii) Should the said Government decide not to sell the land the said Government shall retain the said land thereon in which case the Government shall repay to the company the market value as on the day of re-entry of all the land/road erected by the company and all sums received from the company in respect of all and every amount as provided in the foregoing first clause (less the statutory allowance of 15 per cent and less any

amount received on account of trees and buildings which are not in existence at the time of resumption), but will not repay any sums paid and received on account of costs, charges and expenses of acquisition.

- (iii) Should the said Government decide to sell the land only upon such sale, the Governor shall after deducting the expenses of taking possession and selling pay the balance of the proceeds of sale to the company, together with the sum received from the company in respect of the amount for the land (less the statutory allowance of 15 per cent and less any amount received from the company on account of trees and buildings etc. which are not in existence at the time of resumption), but will not repay any sum paid and received on account of costs, charges and expenses of acquisition.

8. Should any dispute or difference arise touching or concerning the subject matter of this agreement or any convenient clause or thing herein contained, the same shall be referred to the Secretary (Law) to the Government, and opinion and the decision of the aforesaid Secretary (Law) upon such dispute or difference shall be final and conclusive and binding on the parties thereto.

In witness whereof Shri H. S. Dubey, Chairman, Himachal Pradesh, State Electricity Board for and on behalf of the Himachal Pradesh State Electricity Board and Shri H. S. Dubey, Secretary (M.P.P. & Power) to Himachal Pradesh Government, Simla-2 for and on behalf of the Governor of Himachal Pradesh, have hereto set their respective hands and seal on the day and year first above written.

H. S. DUBEY,  
Chairman,  
H. P. State Electricity Board,  
Simla-2.

Witnesses:  
1. W. F. DESOUZA,  
Member (Electrical),  
H.P. S.E.B., Simla-4.  
2. Sd/-  
Secretary,  
H.P. State Elec. Board,  
Simla-171004.

Signed, sealed and delivered  
by \_\_\_\_\_

Witnesses:  
1. ह०/-  
अनुभाग अधिकारी  
(राजस्व शाखा)  
हि० प्र० सचिवालय,  
सिमला-2  
2. Sd/-  
Deputy Secretary (M.P.P.)  
to the Government of  
Himachal Pradesh.

H. S. DUBEY,  
Secretary (M.P.P. & P.) to the  
Govt. of Himachal Pradesh for  
& on behalf of Governor of  
Himachal Pradesh.

All that piece or parcel of land situated in Village Jabal containing an area of 6=10 Bighas detailed as under:-

SPECIFICATION		Tehsil: ROHRU	
District: SIMLA			
Village 1	Khasra No. 2	Area Big. Bis.	3 4
JABAL	903/1/1	0	1
	745/1	0	4
	746/1	0	2
	725/1	0	1
	917/1/1	0	3
	732/1	0	4
	724/1	0	4
	723/1	0	1

1	2	3	4
	892/695/1	0	7
	902/1/1	0	3
	740/1	0	3
	741/1	0	10
	742/1	0	3
	813/1	0	1
	814/1/1	0	4
	691/1	0	4
	692/1	0	15
	904/1/1	0	15
	697/1	0	4
	696/1	0	7
	700/1	0	4
	699/1	0	3
	701/1	0	9
	704/1	0	4
	703/1	0	3
	900/1/1	0	15
	706/1	0	4
	703/2	0	7
Total - Kita	28	7	5

H. S. DUBEY,  
Chairman,  
H.P. State Elec. Board,  
Simla-4.

H. S. DUBEY,  
Secretary (M.P.P.&P.) to the  
Govt. of Himachal Pradesh,  
Simla-2.